

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59946 of 2021

Arising Out of PS. Case No.-22 Year-2020 Thana- NALANDA District- Nalanda

SUDHIR KUMAR @ SUDHAKAR KUMAR S/o Late Shiv Narayan Singh
R/o Village- Chottichhariyari, P.S.- Tharthari, District- Nawada.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Smt. Sunaina Devi W/o Late Rajendra Singh R/o Village- Surajpur, District- Nawada.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vaibhava Veer Shanker, Advocate

For the Opposite Party/s : Mr. Ashok Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 02-02-2022 Heard learned counsel for the parties through video conferencing.

The petitioner has preferred this application for grant of regular bail in a case registered under section 307 and other sections of the Indian Penal Code to which section 302 of the Indian Penal Code was added subsequently.

As per the prosecution case, the sons of the informant namely Raushan Kumar and Anant Singh were assaulted by the accused persons including Prince Kumar and Ujjwal Kumar with lathi, danda, etc. It is further stated that the petitioner was also present along with them. They sustained serious injuries. The gold chain of the sister-in-law of the informant was also snatched by the accused.

It is submitted by learned counsel appearing for the petitioner that one of the injured Raushan Kumar died in course of treatment and as such section 302 of the Indian Penal Code



was added subsequently. Referring to the order of the learned trial Court it is submitted that a single lathi blow has been found on the body of the said Raushan Kumar. The allegations are general and omnibus in nature. In fact in the FIR no specific overt act has been alleged against the petitioner and it has only been stated that the petitioner was present. The petitioner is in custody since 29.7.2021 and charge sheet has been submitted in the case. The petitioner has no criminal antecedent.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case, the nature of allegations against the petitioner together with charge sheet having been submitted in the case, the Court directs the petitioner to be enlarged on bail in connection with Nalanda P.S. Case no. 22 of 2020 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Bihar Sharif.

(Partha Sarthy, J)

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