

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61203 of 2021

Arising Out of PS. Case No.-328 Year-2020 Thana- KHIJARSARAI District- Gaya

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DHIRAJ KUMAR Son of Late Arvind Singh Resident of Village - Saidpur,
P.S.- Khizersarai, Distt.- Gaya.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 68674 of 2021

Arising Out of PS. Case No.-328 Year-2020 Thana- KHIJARSARAI District- Gaya

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PALAN SINGH S/O LATE KRIT SINGH R/o village- Saidpur, P.S.-
Khizarsarai, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

(In CRIMINAL MISCELLANEOUS No. 61203 of 2021)

For the Petitioner/s : M/s Rajendra Narain, Sr. Advocate
Sanjay Kr. Sinha, Advocate

For the Opposite Party/s : Mr. Ram Bilash Roy Raman, APP

(In CRIMINAL MISCELLANEOUS No. 68674 of 2021)

For the Petitioner/s : Mr. Abhimanyu Sharma, Advocate

For the Opposite Party/s : Mr. Uday Chand Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL ORDER

4 09-05-2022 Heard learned counsel for the parties.

The two petitioners in the two applications have
prayed for grant of regular bail in connection with Khizersarai
P.S. Case no. 328 of 2020 registered under section 302 and other
sections of the Indian Penal Code.

As per the prosecution case, the named accused



persons including the two petitioners herein are said to have assaulted the husband of the informant as a result of which he was injured and ultimately died.

It is submitted by learned senior counsel appearing for the petitioner Dhiraj Kumar that the petitioner has been falsely implicated in the case. The allegations are general and omnibus in nature. The petitioner is in custody since 16.7.2021 and has no criminal antecedent.

Learned counsel appearing for the petitioner Palan Singh submits that besides the allegations being general and omnibus in nature, this petitioner is in custody since 14.9.2021.

The application for bail is opposed by learned APP for the State who submits that in course of investigation specific allegations have been made against the petitioners.

In reply it is submitted by learned counsel for the petitioners that the so called allegations in course of investigation have been made after nearly two months of the date of occurrence.

Having heard learned counsel for the parties and taking into consideration the petitioners being in custody since 16.7.2021 and 14.9.2021 respectively, the general and omnibus allegations against the petitioners in the FIR together with the



petitioners not having any criminal antecedent and chargesheet having been submitted in the case, both the petitioners are directed to be enlarged on bail in connection with Khizersarai P.S. Case no. 328 of 2020 on each of them 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 IV, Gaya.

(Partha Sarthy, J)

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