

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51860 of 2022

Arising Out of PS. Case No.-144 Year-2022 Thana- MAHNAR District- Vaishali

VIVEK KUMAR Son of Sunil Ray Resident of Village - Kharjamma, P.S.-
Mahnar, District - Vaishali.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anuj Kumar

For the Opposite Party/s : Mr.Anil Kumar

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 22-12-2022 Heard the learned counsel for the petitioner and

the learned APP for the State.

The petitioner seeks bail in connection with

Mahnar P.S. Case No. 144/2022 instituted for the offences

under Sections 341, 323, 307, 302, 504 and 34 of the

Indian Penal Code.

The petitioner is said to have first assaulted the

informant for his watching a match on mobile telephone.

The informant is also stated to have slapped him back.

Later, because of this incident, 10 persons

including the petitioner assaulted the members of the

family of the informant leading to death of the mother of



the informant.

The learned counsel for the petitioner has submitted that the cause of death of the mother of the informant cannot be traced to the assault as has been alleged in the F.I.R. He has drawn the attention of this to the postmortem report which clearly stated that there was no external injury on the person of the deceased. Even the cause of death could not be ascertained and the viscera was sent for forensic examination.

The petitioner is in custody since 01.06.2022.

The learned counsel for the petitioner has submitted that if at all the accusation is accepted to be true, it was on the spur of the moment but so far as death is concerned, it cannot be said that the assault perpetrated on the deceased led to her death.

Regard being had to the afore-stated facts and the period of custody of the petitioner, he is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial



Magistrate, Vaishali, Hajipu, in connection with Mahnar
P.S. Case No. 144/2022.

(Ashutosh Kumar, J)

sunilkumar/-

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