

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63091 of 2021

Arising Out of PS. Case No.-61 Year-2021 Thana- BIHTA District- Patna

ASHOK KUAMR S/o Late Rambabu Singh R/Village - Babhanlai, P.S.-
Bihta, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Dr. Anjani Pd. Singh, Advocate
For the Informant	:	Mr. Ram Hriday Prasad, Advocate
For the Opposite Party/s	:	Mr. Uma Shankar Prasad Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 25-03-2022 Heard learned counsel for the petitioner, learned
counsel for the informant and learned A.P.P. for the State.

Let the defect(s), if any, be removed within a period
of four weeks after complete start of the physical Court.

The petitioner seeks bail in a case registered for the
offences punishable under Sections 341, 323, 324, 379, 504,
307, 506 and 302/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the
petitioner is in custody since 29.07.2021, is a person with clean
antecedent and charge-sheet has been submitted.

The informant alleges that the petitioner along with
six named accused persons, who are neighbour, came and
assaulted the informant by means of iron rod, lathi and Khanti
on his head and when the son of the informant came to his



rescue then he was also assaulted by the accused persons and both sustained serious injury. Further, the accused also took Rs.2,000/- from the pocket of the informant.

Learned counsel for the petitioner submits that from bare perusal of the allegation as alleged in the FIR, it would manifest that there is general and omnibus allegation of assault and no specific allegation has been alleged against any of the accused with regard to assaulting the informant or his son. Learned counsel further submits co-accused Mahesh Singh has been granted bail by order dated 17.11.2021 in Cr. Misc. No. 39625 of 2021.

Learned counsel for the informant and learned A.P.P. for the State vehemently opposed the prayer for regular bail of the petitioner. Learned counsel for the informant submits that from perusal of the postmortem report of the deceased, it would manifest that the deceased had sustained three injury on the head leading to his death and the allegation as alleged in the FIR is corroborated from the postmortem report but the learned counsel for the informant is not able to meet the submission of the learned counsel for the petitioner that the allegation of assault is general and omnibus in nature and co-accused Mahesh Singh has been granted bail.



Considering the fact that the petitioner is in custody, is a person with clean antecedent, charge-sheet has been submitted and taking into consideration the submissions made by the learned counsel for the petitioner, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Bihta P.S. Case No. 61 of 2021.

(Satyavrat Verma, J)

Kundan/-

U		T	
---	--	---	--

