

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63720 of 2021**

Arising Out of PS. Case No.-314 Year-2021 Thana- ARA NAGAR District- Bhojpur

PRITAM KUMAR @ MANNA @ MUNNA Son of Arun Kumar Resident of
Village - Aranya Devi Asthan, Ara , P.s.- Ara Town, Distt.- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Sinha

For the Opposite Party/s : Mr.Mukeshwar Dayal

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

3 12-04-2022 Heard learned counsel for the petitioner and the State.

The petitioner seeks regular bail in registered for the offences punishable under sections 307/379 and other allied sections of the Indian Penal Code.

As per the prosecution case, 3 to 4 unknown persons came to the house of the informant and took her son under the pretext that Gautam Kumar has called him. After some time on noise when she reached the place of occurrence, she saw that her son was lying injured. The injured told her that co-accused Jeetu Thathera, Lathi Kumar, Matru Sah and other 3 to 4 unknown accused persons assaulted him with knife, dagger, phasuli. They also assaulted Gautam Yadav. Accused persons took away mobile phone and ornaments of the injured.

Learned counsel for the petitioner submits that the



petitioner is innocent and has falsely been implicated in this case. Petitioner is not named in the FIR which has been lodged on the basis of statement made by her injured son. Later on, during course of investigation this injured son of the informant has named this petitioner as the assailant. Petitioner has got clean antecedent as stated in paragraph 3 of the bail petition. Petitioner is in custody since 20.7.2021.

Learned counsel for the State opposes the prayer for bail and submits that there is direct and specific allegation against the petitioner made by the injured son of the informant supported by witnesses during investigation that the accused persons including the petitioner assaulted Gautam Kumar and when he tried to save him, they also assaulted him with knife. Said Gautam Kumar died during treatment. Injury report also indicates that son of the informant sustained knife injury on his neck and there was bleeding from his mouth.

Considering the statement of injured, and the nature of accusation against the petitioner, his prayer for bail is refused.

(Prabhat Kumar Singh, J)

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