

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67361 of 2021

Arising Out of PS. Case No.-75 Year-2020 Thana- GANGTA District- Munger

Dilkhush Kumar, Son Of Late Naresh Yadav Resident Of Village- Gangta
Dariyapur, P.S.- Gangta, District- Munger.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Harsh Anuj- Advocate

For the Opposite Party/s : Mr. Chandra Bhushan Prasad- A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 17-05-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case registered for the
offences punishable under Sections 302, 341, 323, 324, 307,
504, 337, 338, 34 of the Indian Penal Code.

The learned counsel for the petitioner submits that the
petitioner is in custody since 01.09.2021, he is a person with
clean antecedent and charge-sheet has been submitted in this
case.

Allegation is of assaulting Pankaj Kumar by iron rod
by the petitioner and Shashikant and Gopal Kumar assaulted Raj
Kumar. The occurrence took place on account of dispute
relating to flowing of water.

The learned counsel for the petitioner submits that Raj



Kumar, who was assaulted by Shashikant and Gopal Kumar, subsequently died during the course of treatment and the statement of the injured/ Pankaj Yadav was recorded at Para-58 of the case diary wherein he has specifically stated that though he was assaulted on head, but he was not assaulted by the present petitioner.

Learned A.P.P. opposes the bail application, but is not able to meet the submissions made by the learned counsel for the petitioner relying on Para-58 of the case diary.

Considering the fact that the petitioner is in custody, he is a person with clean antecedent, charge-sheet has been submitted in this case and the injured has not named the petitioner as an accused, who assaulted him, the petitioner, above-named, is directed to be released on bail on his furnishing bail-bonds in the sum 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 Gangta P. S. Case No.75 of 2020.

The application stands allowed.

(Satyavrat Verma, J)

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