

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5030 of 2023

Arising Out of PS. Case No.-120 Year-2020 Thana- ROH District- Nawada

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SATISH KUMAR Son of Biru Yadav R/V- Mahkar, P.S- Roh, Dist- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Vaishnavi Singh
For the State	:	Mr. Tapeswar Sharma
For the Informant/s	:	Mr. Birendra Kumar Adv.
	:	MR. Kumud Kishore Adv.

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 08-05-2023 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 147, 148, 149, 341, 323, 324, 307, 504, 506 of the Indian Penal Code and subsequently added section 302 of I.P.C.

As per prosecution case, on 7.8.2020 when the informant was at his house, meanwhile, the accused persons including the petitioner came there and started assaulted him & his father. During course of this incident, the petitioner assaulted the informant's father by means of *Garasa* as a result of which he sustained injury and during course of treatment, he died.

Learned counsel for the petitioner submits that the



petitioner is innocent and has committed no offence. He has falsely been implicated in this case due to existing land dispute. From perusal of FIR, the informant has made allegation against this petitioner is of assaulting on the head of his father by means of *Garasa* whereas, the postmortem report of the deceased shows that cause of death is due to hard and blunt substance. The injury report as well as postmortem report also do not in-consonance with the allegation of assaulting by *Garasa* and shows swelling & abrasion on the body of the deceased. It is further submitted that the petitioner is languishing in judicial custody since 11.9.2022.

Learned APP appearing for the state and learned counsel for the informant have vehemently opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Roh P.S. Case No. 120 of 2020 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Nawada.



(Sunil Kumar Panwar, J)

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