

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.5541 of 2023**

Arising Out of PS. Case No.-328 Year-2020 Thana- KHIJARSARAI District- Gaya

Rajesh Kumar @ Phantus, S/O Palan Singh @ Paln Singh, R/v- Saidpur, P.S.-  
Khijarsarai, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Ravi Shankar Pathak, Advocate  
For the Opposite Party/s : Mrs. Shaheen Begum, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH  
SINGH**

ORAL ORDER

2      05-05-2023              Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner and learned  
A.P.P for the State.

The petitioner has preferred this application for grant of regular bail in connection with Khijarsarai P.S. Case No. 328 of 2020 dated 21.10.2020 registered for the offences punishable u/ss 147, 148, 149, 341, 323, 342 and 302 of the Indian Penal Code.

As per the prosecution case, the petitioner and the co-accused persons in connivance with one another are alleged to have assaulted the husband of the informant severely and due to which her husband sustained injuries on head and eye. The informant's husband died on the way to the hospital.

Learned counsel for the petitioner has submitted that the



petitioner is innocent and has falsely been implicated in this case. There is general and omnibus allegation against the petitioner. No specific overt act is alleged against the petitioner. The co-accused persons have already been granted bail by the Coordinate Bench vide order dated 09.05.2022 passed in Cr. Misc. No. 61203 of 2021 and Cr. Misc. No. 68674 of 2021. The petitioner has got clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 21.10.2022.

Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

Considering the aforesaid facts and circumstances of the case as well as the allegation being general and omnibus, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Gaya in connection with Khijarsarai P.S. Case No. 328 of 2020.

The application stands allowed.

**(Chandra Prakash Singh, J)**

Gautam/-

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