

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11631 of 2023

Arising Out of PS. Case No.-392 Year-2022 Thana- PAKARIBARAW District- Nawada

Kundan Kumar Son of Karu Prasad @ Karu Mahto R/V- Badhauna, P.S-
Pakribarawan, Dist- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vitesh Kumar Singh

For the Opposite Party/s : Mr.Binod Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 09-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case
instituted for the offence under Sections 302/34 of the Indian
Penal Code.

As per prosecution case, while the husband of the
informant was returning, the seven named accused persons
including the petitioner herein variously armed with *lathi-danda*
etc. are said to have assaulted the informant's husband, who
subsequently died on way to the hospital. The accused persons
were seen running away.

It is submitted by learned counsel for the petitioner
that petitioner is innocent and has committed no offence. He has
falsely been implicated in this case on the basis of suspicion.
There is general and omnibus allegation against the petitioner.



No any incriminating article has been recovered from the conscious possession of the petitioner. There is no eye-witness to the alleged occurrence and moreover, no material has transpired during the course of investigation to show the complicity of the petitioner. Similarly situated other co-accused namely Ravindra Kumar @ Kamta Kumar has already been granted bail by this Bench vide order dated 28.07.2023 passed in Cr. Misc. No. 43937 of 2023. The petitioner is languishing in judicial custody since 24.08.2022.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the court of learned J.M. 1st Class, Nawada in connection with Pakribaraw P.S. Case No. 392 of 2022.

(Sunil Kumar Panwar, J)

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