

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15110 of 2023

Arising Out of PS. Case No.-261 Year-2021 Thana- ROSERA District- Samastipur

Lakki Singh S/O Jibach Singh R/O Village- Muradpur, Ward No. 10, P.S.-
Rosera, Distt- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pankaj Kumar Jha

For the Opposite Party/s : Mr.Mohammed Arif

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

5 04-12-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2.The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 147, 148, 149, 341, 323, 307, 324, 504, 506 379 of the Indian Penal Code and later on Section 302 of the IPC was added.

3. Allegation against the petitioner along with other co-accused persons is that they assaulted the informant along with his family members. It is further alleged that that this petitioner assaulted the informant's son by means of spade when he came to save his father due to which he sustained injuries and later on he died during the course of treatment.

4. 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 land dispute and village politics. It is further submitted from para-12 of this petition that there is case and counter case between the parties filed by petitioner vide Rosera P.S. Case No. 262 of 2021 in which it is clearly alleged by the petitioner that when Manoj Singh(informant's son) assaulted upon the head of the petitioner but somehow petitioner fell down and iron rod was hit upon the head of the deceased due to which he died during treatment. It is further submitted that prior to this occurrence, a dispute with regard to land was going on between the parties due to which a Title Suit No. 39 of 2016 is running in the Court. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 13.09.2022.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. 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 Rosera P.S. Case No. 261 of 2021 on furnishing bail bond of Rs.10,000/- (ten thousand) with



two sureties of the like amount each to the satisfaction of
learned Additional Chief Judicial Magistrate-I, Rosera,
Samastipur.

(Sunil Kumar Panwar, J)

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