

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16900 of 2023

Arising Out of PS. Case No.-53 Year-2022 Thana- ARA NAGAR District- Bhojpur

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Suresh Prasad @ Suresh Kumar S/O Raj Kumar @ Raj Kumar Prasad R/O
Mohalla- M.P. Bagh, P.S- Ara Town, Distt.- Bhojpur.

... .. Petitioner/S

Versus

The State Of Bihar A.G Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anil Kumar
For the Opposite Party/s : Mr.Dinesh Singh

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 23-06-2023 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has prayed for regular bail in a case
registered for the offence punishable under section 304 of
the Indian Penal Code.

As per FIR, the allegation against the petitioner is
that he assaulted the informant's son by means of bricks due
to which her son sustained injury after that he was taken to
hospital and after treatment she along with her son came at
her home. It is further alleged that in the mid night son of
the informant died due to sustained injury.



Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. The petitioner and deceased is own brother and there is a land dispute going between them due to which the petitioner has falsely been implicated in this case. The deceased was a heart patient and pace maker was installed in his body and in the night of alleged occurrence due to cold he died and without postmortem of deceased, dead body was cremated by the informant. It is further submitted that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 23.11.2022.

Learned APP appearing for the state has 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 Ara Nagar P.S. Case No. 53 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial



Magistrate, Bhojpur at Ara.

(Sunil Kumar Panwar, J)

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