

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19299 of 2023**

Arising Out of PS. Case No.-456 Year-2021 Thana- MURLIGANJ District- Madhepura

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MUKESH KUMAR S/O LATE GANESH YADAV Resident of Village-
Haripur Kala, Ward no.- 07, P.S.- Murliganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Singh, Advocate

For the Opposite Party/s : Mr. Anil Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL ORDER

2 16-05-2023 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner has preferred this application for
grant of regular bail in connection with Murliganj P.S. Case no.
456 of 2021 registered under sections 307, 341, 323, 379, 325,
504, 506 and 34 of the Indian Penal Code to which section 302
of the Indian Penal Code was added subsequently.

3. As per the prosecution case, the informant states
that the four named accused persons including the petitioner
herein as also one Santosh Yadav started to abuse and assault
the informant and the members of his family leading to the
informant sustaining grievous injuries.

4. It is submitted by learned counsel for the petitioner



that the informant having died in course of treatment, section 302 of the Indian Penal Code was added subsequently. It is submitted that the petitioner has been falsely implicated in the case. Genesis of the case is a trivial dispute between the cousin brothers which is evident from the FIR itself. The allegations are general and omnibus in nature. The petitioner is in custody since 14.11.2022 and has no criminal antecedent. His case stands on a similar footing to that of co-accused Santosh Yadav who has been enlarged on bail vide order dated 30.1.2023 (Annexure-2) passed in Cr. Misc. no. 42508/2022.

5. Heard learned APP for the State.

6. Having heard learned counsel for the parties and taking into consideration the nature of allegation in the FIR, the petitioner and the informant/deceased being agnates, the allegations being general and omnibus in nature, the case of the petitioner being similar to that of co-accused Santosh Yadav who has been enlarged on bail vide order dated 30.1.2023 (Annexure-2), the petitioner being in custody for 6 months since 14.11.2022 and charge sheet having been submitted in the case, the Court directs the petitioner to be enlarged on bail in connection with Murliganj P.S. Case no. 456 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with



two sureties of the like amount each to the satisfaction of the
learned A.C.J.M-I, Madhepura.

(Partha Sarthy, J)

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