

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 21283 of 2023**

Arising Out of PS. Case No.-117 Year-2022 Thana- ATHMALGOLA District- Patna

DHARAMVEER KUMAR @ DHARAMVEER SINGH son of Arjan Singh
@ Arjun Singh Village- Jamalpur Barahiya Ps-Athmalgola Dist- Patna

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr Ashok Kumar Kashyap, Advocate

For the Opposite Party/s : Mr Prem Kumar Jha, APP

CORAM: HONOURABLE MR JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 **23-05-2023** 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 Additional Public Prosecutor (for brevity, **APP**) appearing for the State of Bihar.

The petitioner has preferred this application for grant of regular bail in connection with Sessions Trial No 1491 of 2022 arising out of Athmalgola Police Station (for brevity, **PS**) Case No 117 of 2022 dated 04.05.2022 registered for the offence punishable under Sections 147, 148, 149, 341, 323, 302, 504, 506 of Indian Penal Code.

As per prosecution case, the **pattidar** of the informant



had put bricks on the informant's land. Thereafter, the informant's son forbade him from doing so on which the co-accused started abusing and the petitioner and other co-accused persons armed with sharp edged Bhala and Farsa, assaulted the informant's son with Bhala due to that he fell down and became unconscious. When the informant's brother came to rescue, all the accused persons also assaulted him with Bhala and Farsa causing injury and they also assaulted the informant and his younger son. When the injured persons were taken to Hospital, Raushan Kumar and Ratnesh Kumar were declared dead.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner has no criminal history, as stated in paragraph 3 of the bail petition. There is general and omnibus allegation against the petitioner. He is in custody in this case since 13.08.2022.

Learned APP has vehemently opposed the bail petition of the petitioner.

Considering the aforesaid facts and circumstances of the case, period of custody as well as the nature of allegation against the petitioner, the petitioner above named is directed to be released on bail on his furnishing bonds of Rs 20,000/-



(Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge I, Barh, Patna in Sessions Trial No 1491 of 2022 arising out of Athmalgola PS Case No 117 of 2022 dated 04.05.2022.

This application stands allowed.

(Chandra Prakash Singh, J)

M.E.H./-

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