

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30427 of 2023

Arising Out of PS. Case No.-310 Year-2022 Thana- ATHMALGOLA District- Patna

1. Sanjay Kumar Son Of Amirak Roy R/O-Ganjpar, P.S.-ATHMALGOLA, Distt.-PATNA
2. Nitish Ray Son Of Ram Briksh Ray R/O-Ganjpar, P.S.-ATHMALGOLA, Distt.-PATNA

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar Jha
For the Opposite Party/s : Mr.Mohammad Sufyan

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 22-08-2023 Heard learned counsel for the petitioners, learned counsel for the informant and learned APP for the State.

The petitioners have prayed for regular bail in a case registered for the offence punishable under sections 147, 149, 323, 307 and 302 of the Indian Penal Code.

As per prosecution case, the allegation against the accused persons including the petitioners is that they in inebriated condition came and assaulted the informant's brother while he was returning home. It is further alleged they also assaulted the informant and other family members due to which his family members sustained injuries and his brother, namely, Sintu Kumar succumbed to injuries.

Learned counsel for the petitioners submit that the



petitioners are innocent and have committed no offence. Both parties are agnates and due to money problem and previous enmity they have falsely been implicated in this case. There is no specific allegation of commission of murder levelled against the petitioners rather general and omnibus allegation levelled against them. It is further submitted that the petitioners are languishing in judicial custody since 21.12.2022 and 25.12.2022 respectively.

Learned APP appearing for the state and learned counsel for the informant have vehemently 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 Athmalgola P.S. Case No. 310 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 S.D.J.M., Barh Patna.

(Sunil Kumar Panwar, J)

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