

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31455 of 2023

Arising Out of PS. Case No.-361 Year-2022 Thana- GOH District- Aurangabad

=====

BIRENDRA KUMAR son of Kamlesh Verma @ Kamal @ Kamlesh Singh
Village-Bhurkunda Ps-Goh,Dist- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Rakesh Kumar

For the Opposite Party/s : Mr.Jai Narain Thakur

=====

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 25-07-2023 Heard learned counsel for the petitioner, informant
and learned APP for the State.

2. The petitioner has prayed for regular bail in a case
instituted for the offence under Sections 147, 149, 341, 323, 506
and 302 of the Indian Penal Code.

3. The allegation against the petitioner along with
others is of brutally assaulting the sister of the informant, due to
which he succumbed to injury.

4. It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. He has
committed no offence. Petitioner is the brother-in-law (*Devar*)



of the deceased. There is no consistent evidence and no eye-witness to the alleged occurrence to show that petitioner has involved in the said crime. On the basis of suspicion, petitioner has implicated in the present case. He further submitted that the husband of the deceased has not made accused in this case, while the main responsibility of taking care of his wife (deceased) and maintain her dignity is upon her husband. Petitioner has got no criminal antecedent as stated in para-3 of the bail petition. He is languishing in judicial custody since 17.12.2022.

5. The application for bail is opposed by learned APP for the State, learned counsel for the informant and submitted that the allegation against the petitioner along with others is of assaulting to the deceased, due to which she died and from the perusal of the postmortem report, it appears that the cause of death was haemorrhage as a result of hard and blunt substance.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the



satisfaction of the learned Court below in connection with Goh
P.S. Case No. 361 of 2022.

(Sunil Kumar Panwar, J)

arish/-

U		T	
---	--	---	--

