

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41811 of 2023

Arising Out of PS. Case No.-102 Year-2022 Thana- PUSA District- Samastipur

Raj Kishore Thakur Son Of Ramesh Thakur R/O Village-Madapur Chhapara,
P.S.- Pusa, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Ms. Sharda Kumari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 14-07-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Pusa P.S.
Case No. 102 of 2022 dated 17.10.2022, instituted for the offence
punishable under Sections 341, 342, 323, 307, 504, 506/34 of the
Indian Penal Code.

3. The prosecution case, in short, is that on 21.09.2022
at 09.00 pm, due to some altercation between co-accused Nandu
Kumar and the informant's son, the petitioner and other three
named accused persons assaulted her son. It has also been alleged
that the petitioner and other two accused persons caught hold her
son and co-accused Nandu Kumar hit on head by iron rod with a
intention to kill due to which he sustained grievous injuries.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and he has been falsely implicated in this case. Learned counsel for the petitioner submits that F.I.R. has been lodged after 26 days delay for which no plausible explanation has been given. Learned counsel for the petitioner submits that there is no specific allegation against the petitioner. The specific allegation is against the co-accused Nandu Kumar, who has been granted bail today i.e. on 14.07.2023 passed in Criminal Miscellaneous No. 42941 of 2023, by a Co-ordinate Bench of this Court. Learned counsel for the petitioner submits that allegations levelled against the petitioner are general and omnibus. Learned counsel for the petitioner submits that injuries inflicted to the informant's son is simple in nature. Learned counsel for the petitioner further submits that similarly situated co-accused, namely, Ghantu Kumar @ Shyam Kishore Kumar has been granted bail by a Co-ordinate Bench of this Court vide order dated 18.05.2023 passed in Criminal Miscellaneous No. 23303 of 2023. Lastly, it has been submitted that the petitioner is in custody since 08.05.2023 having no criminal antecedents.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs.



10,000/- (ten thousand) with two sureties of the like amount each
to the satisfaction of Judicial Magistrate- 1st class, Samastipur, in
Pusa P.S. Case No. 102 of 2022.

(Khatim Reza, J)

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