

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46347 of 2023

Arising Out of PS. Case No.-115 Year-2023 Thana- BARUN District- Aurangabad

RAHUL KUMAR Son of Kamta Singh @ Kamta Yadav Resident of village -
Basdiha, P.S. - Narari Kala Khurd, Distt. - Aurangabad (Bihar)

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhaskar Shankar

For the Opposite Party/s : Mr.Zainul Abedin

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 18-09-2023 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, 148, 149, 341,
323, 324, 302 of the Indian Penal Code.

3. The allegation against the petitioner along with
others is of brutally assaulted the brother 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 due to old
dispute. He has committed no offence. There is general and
omnibus allegation against the petitioner. It is alleged that all 11
accused persons including the petitioner assaulted the deceased
by means of lathi-danda and iron rod but the postmortem report



is not in consonance with the prosecution case and the doctor has not opined the cause of death. Petitioner has got no criminal antecedent as stated in para-3 of the bail petition. He is languishing in judicial custody since 13.03.2023.

5. The application for bail is opposed by learned APP for the State and learned counsel for the informant.

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 Barun P.S. Case No. 115 of 2023.

(Sunil Kumar Panwar, J)

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