

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47512 of 2023

Arising Out of PS. Case No.-21 Year-2023 Thana- MEHANDIA District- Jehanabad

Nitish Kumar @ Raushan Kumar S/O Satyendra Das @ Ramesh Kumar R/O
Village- Belsar, Narak Bigha, Ps. Mehandia, Dist. Arwal

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rakesh Kumar Sharma, Advocate

For the Opposite Party/s : Mr.Amitesh Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 04-08-2023 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.

2. Heard learned counsel for the petitioner and learned A.P.P for the State.

3. The petitioner has preferred this application for grant of regular bail in connection with Mehandia P.S. Case No. 21 of 2023 (Sessions Trial No. 468 of 2023) dated 28.01.2023 registered for the offences punishable u/ss 147, 149, 341, 323, 324, 307, 504 and 506 and 302 of the Indian Penal Code.

4. As per the prosecution case, during the immersion of idol, the petitioner and the co-accused persons holding lathi and danda came and suddenly attacked the persons. The co-



accused Satyendra Das is alleged to have assaulted the informant with lathi causing head injury. The co-accused Kanchan Kumari assaulted the informant's daughter with lathi causing head injury. They also assaulted the injured Tulsi Paswan, Lilavati Devi and Mohar Paswan. Thereafter, the injured were taken to the PMCH, Patna for treatment. The injured Mohar Paswan died during the course of treatment.

5. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There is general and omnibus allegation against the petitioner. It is further submitted that the specific allegation of assaulting is against the co-accused Satyendra Das. Nothing has been recovered from the possession of the petitioner. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 27.03.2023.

6. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

7. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court



concerned, Jehanabad in connection with Session Trial No. 468
of 2023 arising out of Mehandia P.S. Case No. 21 of 2023.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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