

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50549 of 2023

Arising Out of PS. Case No.-211 Year-2022 Thana- GURUA District- Gaya

Rajesh Mallah Son Of Dukhi Mallah Resident Of Mohalla- Usewa, Ps-
Gurua, Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Sudhir Kumar Sinha
For the Opposite Party/s	:	Mr.Nand Kishore Prasad
For the Informant	:	Mr. Gautam

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 28-11-2023 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the informant.

2.The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 341, 302, 504 and 34 of the Indian Penal Code and Section 27(iii) of Arms Act.

3. Allegation against the petitioner is that he assaulted the informant's husband by means of iron rod due to which he sustained injuries and later on during the course of treatment he died.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. There is no repetition of



blow and he has no intention to kill the informant's husband. It is further submitted that from perusal of the trial Court report, charge has not been framed till now. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 29.06.2022.

5. Learned APP appearing for the state and learned counsel for the informant have opposed the prayer of regular bail and submitted that there is specific allegation to assault the deceased by means of iron rod.

6. 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 Gurua P.S. Case No. 211 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 J.M. 1st Class, Sherghati (Gaya).

(Sunil Kumar Panwar, J)

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