

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50359 of 2023

Arising Out of PS. Case No.-422 Year-2022 Thana- KONCH District- Gaya

=====

DHIRAJ KUMAR SON OF ANIL YADAV RESIDENT OF VILLAGE-
MITHAPUR, PS- KONCH, DIST- GAYA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Kamal Kumar Sinha

For the Opposite Party/s : Mr.Anita Kumari

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 01-11-2023 Heard learned counsel for the petitioner and the

State.

2. Petitioner apprehends arrest in a case registered for
the offence punishable under sections 302, 120(B) and 34 of the
Indian Penal Code.

3. As per the prosecution case, all the FIR-named
accused persons, including this petitioner, killed the brother of
the informant.

4. It is submitted that the petitioner is not named in
the FIR, and his name transpired during the course of the
investigation. He further submits that even the deceased has not
disclosed the name of the petitioner as the assailant. Sangita
Devi, who is the informant of this case has not whispered about
the petitioner. Hence, no case under sections 120(B) and 34 of



the I.P.C. is made against this petitioner. It is apparent from the FIR that deceased Pawan Kumar has disclosed to his aunt that only three persons, namely Nanhak Kumar, Sandeep Kumar, and Virjan Paswan, assaulted him by means of rod, lathi, and bricks. Petitioner claims clean antecedent.

5. Learned counsel for the State opposes the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case, in the event of arrest or surrender within six weeks from today, let the petitioner, as named above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the Learned Chief Judicial Magistrate , Gaya in connection with Konch P.S. case No. 422 of 2022 , subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

Koushik/-

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

