

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52727 of 2023

Arising Out of PS. Case No.-45 Year-2023 Thana- CHANDRADIP District- Jamui

Akhtar Hussain S/O Asgar Sah R/O Village- Rahis, Ps. Pakribarawan, Dist. Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Satya Prakash Parasar
For the State	:	Mr.Shahir Begam, APP
For the Informant/s	:	Mr. Amar Prakash

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 18-09-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 302/34 of the Indian Penal Code and Section 37 of the Bihar Prohibition & Excise Act.

3. As per prosecution case, the informant alleged that the petitioner along with other co-accused persons came at his house and started assaulting the father of the informant by kick and fists due to which he became unconscious. When the injured was brought at hospital where doctor declared him dead. The petitioner is alleged to be in drunken condition at the time of occurrence.



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. From perusal of FIR, it appears that general and omnibus allegation of assaulting has been leveled against the petitioner. The postmortem report of the deceased does not in-consonance with the prosecution case. The petitioner has got no criminal antecedent and languishing in judicial custody since 14.3.2023.

5. Learned APP appearing for the state and learned counsel for the informant have vehemently opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody period, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Chandradeep P.S. Case No. 45 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Excise Court-I, Jamui.

(Sunil Kumar Panwar, J)

Amandeep/-

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

