

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55472 of 2022

Arising Out of PS. Case No.-2 Year-2020 Thana- NARDIGANJ District- Nawada

1. GAUTAM SINGH @ GAUTAM KUMAR Son of Naval Singh @ Naval Kishor Singh R/V- Hariya, P.S- Nardiganj, Dist- Nawada
2. Ganesh Singh @ Ganesh Sharma Son of Arbind Singh @ Buli Singh R/V- Hariya, P.S- Nardiganj, Dist- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Kumar

For the Opposite Party/s : Mr. Satyendra Narayan Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 13-03-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioner has prayed for bail in a case instituted
for the offence under Section 302/34 of the Indian Penal Code.

As per allegation in the FIR, over the allegation of
theft of paddy by the husband of the informant, petitioners along
with co-accused Bihari Singh and 12-13 unknown accused
persons brutally assaulted him. Thereafter informant's husband
was taken to Primary Health Center, Nardiganj for treatment by
his wife and other villagers, where he was declared dead.

It is submitted by learned counsel for the petitioners
that petitioners have been falsely implicated in this case due to
dirty village politics. No one is eye witness of the alleged
occurrence. Villager Praduman Sah was on inimical term with
the FIR named accused persons and after taking the informant in



his confidence, he has got instituted this case against the petitioners by the informant. No specific allegation of assault is against the petitioners. Both the petitioners are languishing in judicial custody since 05.05.2022.

The application for bail is opposed by learned APP for the State and learned counsel for the informant and submitted that as per postmortem report, deceased had received swelling on left hand and multiple bruise of different size at left shoulder, left scapular and scab scapular region of back caused by hard and rough object and he died due to shock and hemorrhage.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Nawada in connection with Nardiganj P.S. Case No. 02 of 2020.

(Sunil Kumar Panwar, J)

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