

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61408 of 2023

Arising Out of PS. Case No.-92 Year-2023 Thana- BALIYA District- Begusarai

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DEEPAK KUMAR @ DEEPAK SONI S/O PAWAN SAH @ PAWAN SONI
RESIDENT OF VILLAGE- CHHOTI BALLIA, UPPER TOLA, PS.
BALLIA, DIST. BEGUSARAI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Amar Kumar Singh

For the Opposite Party/s : Mr.Tarun Prasad Mandal

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 17-10-2023 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

The petitioner has prayed for bail in a case instituted
for the offence under Sections 147, 148, 149, 341, 323, 324,
504, 302 of the Indian Penal Code.

As per allegation in the FIR, five accused persons
arms with garasa, knife, scissors and iron rod, surrounded the
son of the informant and started to abuse him. On protest, they
assaulted him mercilessly thereafter he succumbed to injuries.
Specific allegation against the petitioner is of assaulting the
deceased by means of iron rod.

It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. Informant



is not the eye witness of the alleged occurrence. Only on the basis of suspicion, the name of the petitioner has been dragged in the present case. Allegedly, there are five assailants including the petitioner but as per postmortem report, only two lacerated injuries over both side of parietal region of skull were present on the body of the deceased. Postmortem report does not corroborate the prosecution version. Petitioner has got no criminal antecedent and he is languishing in judicial custody since 12.04.2023.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Judicial magistrate 1st Class, Begusarai in connection with Ballia P.S. Case No. 92 of 2023.

(Sunil Kumar Panwar, J)

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