

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61576 of 2022

Arising Out of PS. Case No.-158 Year-2022 Thana- PATORI District- Samastipur

Arvind Kumar @ Arvind Rai @ Bindu Rai @ Arvind Kumar Roy Son Of
Lakshmi Ray R/V- Ward No.- 4, Baghra, P.S.- Patory (Mohanpur O.P.)
District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Narain Sinha, Advocate
For the Opposite Party/s : Mr. Binod Kumar No. 3, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

5 13-03-2023 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 341, 323 and 302 of the Indian Penal Code.

As per allegation, the petitioner assaulted the father of the informant by means of fist.

Learned counsel for the petitioner submits that no such occurrence as alleged ever took place. He has been falsely implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. He submits that the father of the informant was taken to the near medical shop where he fell on the ground and became unconscious. He further submits that the father of the informant



was then taken to hospital where the Doctor examined the father of the informant and declared dead. He submits that the postmortem report has not supported the prosecution case. The petitioner has no criminal antecedent as mentioned in para-3 of this application.

Learned APP for the State opposes prayer for bail.

Having regard to the facts and circumstances of the case and the fact that the doctor has found cause of death of the deceased was due to haemorrhage and shock caused by hard and blunt substance as mentioned in postmortem report, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Patory (Mohanpur O.P.) P.S. Case No. 158 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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