

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63197 of 2022**

Arising Out of PS. Case No.-196 Year-2021 Thana- BIRPUR District- Supaul

Bindeshwari Marik, Son of Late Latay Marik, R/v- Hridya Nagar, Ward No. 03, P.S.- Birpur, District- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nagendra Upadhyay, Advocate
For the Opposite Party/s : Mr. Dilip Kumar No. 1, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

3 05-05-2023 Heard learned counsels for the petitioner and the State.

Petitioner apprehends arrest in a case registered for the offences punishable under Sections 341, 323, 324, 504, 506/34 of the Indian Penal Code and later on added Section 302 of the Indian Penal Code.

As per prosecution case, on the alleged date and time of the occurrence, all the F.I.R. named accused persons including this petitioner armed with different weapons surrounded the house of the informant and started assaulting informant's father by means of dabia, due to which, he sustained injury. When other family members of the informant came to his rescue, they were also assaulted by the co-accused persons.

Learned counsel appearing for the petitioner submits



that the specific allegation of assault is against co-accused Rupak Malik and Shankar Marik and so far this petitioner is concerned, no specific overt act has been alleged against him. He next submits that the deceased died after six days of the alleged occurrence. Petitioner has got clean antecedent.

Considering the aforesaid facts and circumstances and nature of accusation, let the above named petitioner in the event of his arrest/surrender before the court below within a period of six weeks from today, 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 Additional Chief Judicial Magistrate, Birpur, Supaul in connection with Birpur P. S. Case No. 196 of 2021, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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