

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67980 of 2022

Arising Out of PS. Case No.-150 Year-2022 Thana- NAUGACHIA District- Bhagalpur

RAKESH KUMAR JAISWAL S/O LATE GOVIND PD. JAISWAL Resident
of Village- Milki Goushala, P.S.- Naugachhia, District- Bhagalpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kundan Kumar Singh

For the Opposite Party/s : Mr. Jagdhar Prasad

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

5 11-09-2023 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.

3. As per the prosecution case, the petitioner and other co-accused are alleged to have assaulted and pressed the testes of the informant's husband, Mukesh Kumar Jaiswal, until he not reached the state of unconsciousness. Thereafter, the informant's husband was brought to hospital where doctor declared him dead.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. The alleged occurrence took place due to land dispute and the petitioner has falsely been implicated in the present case. He has no intention



to kill the deceased. There is also general and omnibus allegations against the petitioner. It is further submitted that other co-accused namely, Roshani Devi has already been granted bail by a co-ordinate Bench of this Court vide order dt. 10.5.2023 passed in Cr. Misc. No. 69836 of 2022. The petitioner has got no criminal antecedent as stated in para-3 of the bail petition and languishing in judicial custody since 8.6.2023.

5. Learned APP appearing for the state has 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 of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Naugachia P.S. Case No. 150 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-1st, Naugachia.

(Sunil Kumar Panwar, J)

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