

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75185 of 2023

Arising Out of PS. Case No.-103 Year-2022 Thana- KASHICHAK District- Nawada

Tulan Kumar @ Uttam Kumar Son Of Mr. Mithilesh Kumar @ Mithilesh
Singh Resident of Village- Daulachak, Ps- Kashichak, Dist- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vaishnavi Singh

For the Opposite Party/s : Mr.Kalyan Shankar

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 01-12-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Kashichak P.S. case No. 103 of 2022 instituted for the offences
under Sections 302/34 of the Indian Penal Code.

3. The prosecution case, in short, is that the accused
persons along with the present petitioner, variously armed with
fire-arms, assaulted the deceased/brother of the Informant
causing multiple bullet injuries on the vital parts of the body.

4. The specific allegation against the petitioner is of
assaulting the brother of the Informant with brick-stones.

5. Learned counsel for the petitioner submits that the
petitioner is an innocent person and has falsely been implicated
in the present case due to land dispute. The petitioner has no



criminal antecedent and is in judicial custody since 19.05.2023. He further submits that the co-accused/Sarawan Kumar has been granted bail by a Co-ordinate Bench of this Court vide order dated 09.05.2023 passed in Cr. Misc. No. 6501 of 2023. The charge-sheet has been submitted in this case.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the entire facts and circumstances of the case, let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Kashichak P.S. case No. 103 of 2022, subject to the following conditions:-

(i) One of the bailors shall be own/close member of the family of the petitioner.

(ii) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

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