

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80986 of 2023

Arising Out of PS. Case No.-283 Year-2023 Thana- FATUA District- Patna

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Pintu Kumar @ Mukhiya Son of Rabindra Singh R/o vill - Lalu Chowk
Industrial Area, Budhu Chak, P.S. - Fatuha, Distt. - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjay Kumar @ S.K., Adv.

For the Opposite Party/s : Mr.Damodar Prasad Tiwary, APP

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

ORAL ORDER

2 22-12-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Fatuha
P.S. Case No. 283 of 2023 instituted for the offences under
Sections 323, 341, 354, 302/34 of the Indian Penal Code.

3. As per the prosecution case, the petitioners and co-
accused persons, variously armed with *lathi-danda*, iron rod and
brick in connivance with one another, are alleged to have
assaulted the husband of the Informant severely. When she tried
to rescue, she was also assaulted by them. In course of
treatment, her husband died.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. The allegation made against the petitioner is general
and omnibus. The petitioner has no criminal antecedent. There is



no specific allegation of any overt act against the petitioner. He further submits that two co-accused persons, namely, Rita Devi @ Anita Devi and Dumrahi Devi @ Sirati Devi have been granted bail by a Co-ordinate Bench of this Court vide order dated 17.08.2023 passed in Cr. Misc. No. 49217 of 2023. The petitioner is languishing in judicial custody since 18.04.2023 and the charge-sheet has been submitted against the petitioner, cognizance has been taken and the case has also been committed to the Court of Sessions and, thus, there is no chance of tampering with the evidence.

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

6. Considering the entire facts and circumstances of the case as also taking into account the period of custody as also the petitioner having no criminal antecedent, 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 Fatuha P.S. Case No. 283 of 2023.

(Rudra Prakash Mishra, J)

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