

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5553 of 2024

Arising Out of PS. Case No.-150 Year-2022 Thana- HASANPUR District- Samastipur

Sumit Kumar @ Sumit Kumar Yadav Son of Late Nand Kishor Yadav @
Nanhki Yadav R/o vill - Paridah, P.S. - Hasanpur, Distt. - Samastipur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jitendra Sinha

For the Opposite Party/s : Mr.Sharda Kumari

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 09-02-2024 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner is languishing in custody in a case registered for the offences punishable under Sections 147, 148, 149, 337, 338, 302 of the Indian Penal Code.

The prosecution case as per F.I.R is that on 26.05.2022 at about 10:00 am, the petitioner along with other F.I.R named accused persons came to the house of the informant and asked the informant's brother-in-law(deceased) to return the loan of Rs. 30,000/- but on his incapability to return the said



amount, all the accused persons started assaulting to the brother-in-law of the informant, as a result of which, he sustained injuries and subsequently succumbed to the injuries.

It is submitted by learned counsel for the petitioner that petitioner is innocent and he has falsely been implicated in this case. There is counter version of the occurrence also and one person from the petitioner's side also died. There is general and omnibus allegation against the petitioner. During investigation also, no consistent material evidence has been collected against the petitioner to connect him with the present case. The petitioner is languishing in custody since 07.10.2023. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent. Moreover, other similarly situated co-accused has been granted bail by a coordinate Bench of this Court vide order dated 21.06.2023 passed in Cr. Misc. No. 31365 of 2023.

In contra, learned A.P.P appearing on behalf of



the State has vehemently opposed the prayer for bail of the petitioner.

Considering the facts aforesaid and the period under custody, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousands) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-IV, Rosera, Samastipur in connection with Hasanpur P.S. Case No. 150 of 2022.

(Sunil Kumar Panwar, J)

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