

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8353 of 2024

Arising Out of PS. Case No.-126 Year-2018 Thana- RAHUI District- Nalanda

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Nitish Kumar S/O Ishwar Chaudhary R/O- Village- Sosandi, P.S.- Rahui,
Dist.- Nalanda.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Parmanand Prasad
For the Opposite Party/s : Mr.Tarkeshwar Nath Thakur
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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 03-04-2024 Heard learned counsel for the petitioner, State and
informant.

2. The petitioner seeks bail in a case registered for
offence under Sections 147, 149, 323, 504, 307, 302, 325 of the
Indian Penal Code.

3. As per prosecution case, this petitioner alongwith
co-accused Braj Kishore Chaudhary assaulted grandfather of the
informant by means of *Khanti* and iron rod, on account of
which, during course of treatment he died.

4. It is submitted on behalf of petitioner that the
allegation of assault is general and omnibus. It is further
submitted that as per F.I.R., this petitioner alongwith co-accused
Braj Kishore Chaudhary are alleged to have assaulted the
deceased, but who is the main assailant is not clear, rather it is
vague. Petitioner has got clean antecedent and is in custody



since 01.10.2023.

5. Learned counsel for the informant vehemently opposes the prayer for bail and submits that there is specific and direct allegation that this petitioner alongwith co-accused Braj Kishore Chaudhary assaulted the deceased by means of *Khanti* and iron rod. Petitioner is one of the main assailant.

6. Considering the nature of accusation, the prayer for bail of petitioner is rejected.

(Prabhat Kumar Singh, J)

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