

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9009 of 2024

Arising Out of PS. Case No.-61 Year-2023 Thana- PARSABAZAR District- Patna

SANNI KUMAR Son of Late Makai Nat Resident of Village Yadav Chak
(Natthupur), Parsa Bazar, P.S.-Parsa, District-Patna

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Thakur, Advocate
Ms. Vaishnavi Singh, Advocate

For the Opposite Party/s : Mr. Tarun Prasad Mandal, APP
For the informant : Mr. Sanjay Kumar Pandey, Advocate

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 20-02-2024 Heard learned counsel for the petitioner, learned
counsel for the informant and learned A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Parsa Bazar P.S. Case No. 61/2023 lodged on 02.02.2023 under
Sections 147, 149, 341, 323, 307, 452, 379, 504 of the Indian
Penal Code. Section 302 of the Indian Penal Code was
subsequently added.

3. As per the prosecution case, the FIR has been
lodged against 8 named accused persons including the present
petitioner. Initially, the case was not registered under Section
302 of the Indian Penal Code but, subsequently, after death of
the informant, Section 302 of the Indian Penal Code was added.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He further submits that from the fardbeyan it transpires that the case has been lodged in two phases. The first phase of incident took place on 01.01.2023 and the second phase of incident took place on 02.01.2023. It is alleged against the the petitioner and other co-accused persons that they assaulted the brothers of the informant with an iron rod, as a result of which, the brother of the informant got injured and in course of treatment, he succumbed to the injuries. Learned counsel for the petitioner further submits that the chargesheet has already been filed and the cognizance has been taken as well as evidence has also started. Hence, no purpose will be served in keeping the petitioner in further custody. The petitioner is in custody since 27.02.2023 and is accused in one more criminal case in which he is on bail.

5. Learned counsel for the State opposes the prayer for bail.

6. Learned counsel for the informant vehemently opposes the prayer for bail and submits that it is true that the event took place in two phases. The first phase of the incident is of 01.01.2023 and the second phase of the incident is of



02.01.2023. The allegation is specific against the petitioner to have assaulted the brother of the informant with an iron rod, as a result of which, informant's brother died. The evidence has started and one evidence has taken. The evidences from the informant's side are expected to be adduced within six months.

7. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named be released on bail **after six months from today** , on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-16, Patna, subject to the conditions as laid down under Section 437(3) of the Code of Criminal Procedure.

(Dr. Anshuman, J)

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