

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16766 of 2024

Arising Out of PS. Case No.-166 Year-2023 Thana- GURARU District- Gaya

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Dipu Kumar @ Randhir Kumar @ Deepu Kumar son of Mahendra Yadav
Village- Bahera Ps- Guraru Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Atul Shankar, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, APP

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

ORAL ORDER

2 13-03-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Gararu
P.S. case No. 166 of 2023 instituted for the offences under
Sections 341, 323, 504, 506, 307/34 of the Indian Penal Code.

3. Prosecution case, in short, is that the petitioner
alongwith other co-accused persons assaulted the informant.
When wife of the informant came to rescue, the petitioner along
with co-accused Shambhu Kumar assaulted her on the head.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case.
Learned counsel for the petitioner submitted that general and
omnibus allegation has been made against the petitioner. No



specific overt act is alleged against the petitioner. Learned counsel further submitted that the injury sustained by the wife of the informant is simple in nature, hence, Section 307 of the Indian Penal Code is not made out. It has been submitted on behalf of the petitioner that the petitioner is in custody since 26.11.2023 and has no criminal antecedent.

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

6. Considering the aforesaid facts and circumstances of the case, clean antecedent as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner 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 Gararu P.S. case No. 166 of 2023.

(Rudra Prakash Mishra, J)

Alok Verma/-

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