

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18956 of 2024

Arising Out of PS. Case No.-597 Year-2022 Thana- MAHUA District- Vaishali

Santosh Kumar S/o Bhajju singh R/o vill - Gauspur Chakma Jahid, P.S. -
Mahua, Distt. - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjit Kumar Thakur, Adv.

For the Opposite Party/s : Mr.Ashok Kumar Singh, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 02-04-2024 Heard learned counsels for the parties.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 302, 34 of the Indian Penal Code.

3. Allegedly, all the FIR named accused persons including the petitioner are said to have abused and assaulted the informant's son brutally due to which he died during the course of his treatment.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. No such occurrence as alleged ever took place. He has been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. There is specific allegation against co-accused Munna Kumar to inflict knife blow on the neck of the informant's



son due to which he got injured and died during his treatment. The name of the petitioner has been transpired in the present case only with a view to harass and humiliate him with false and frivolous allegation. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposes the prayer for bail and submits that the petitioner was also actively involved in the alleged occurrence. Hence, he does not deserve the privilege of anticipatory bail.

6. Having regard to the facts and circumstances of the case, as there is no specific overt act against the petitioner, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Mahua P.S. Case No. 597 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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