

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26029 of 2024

Arising Out of PS. Case No.-368 Year-2023 Thana- KOILWAR District- Bhojpur

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Sumeet Kumar @ Sumit Kumar S/o Jagmer Resident of Village- Nizampur,
P.S.- Majra, District- Sonipat State Haryana

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raju Singh, Advocate

For the Opposite Party/s : Mr. Navin Kumar Pandey, APP

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

ORAL ORDER

2 10-04-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Koilarwar P.S. Case No. 368 of 2023 instituted for the offences
under Sections 147, 149, 302 of the Indian Penal Code.

3. The prosecution case, in short, is that on
17.06.2023, the Informant received an information that his
brother namely Balwant has fallen at Mankapur Station in
anconscious position. The Informant and his father went there
and after huge effort, he got some consciousness and revealed
that the F.I.R. named persons along with 5-6 unknown persons
have brutally assaulted him by means of Lathi. Danda, fist, slep
and iron rod and, thereafter, again he became unconscious and



died in course of taking him hospital for treatment.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case. No any specific and direct allegation has been made against the petitioner rather the same is general and omnibus. There is no eye-witness to the alleged occurrence. The petitioner has no concern with the alleged occurrence. Charge-sheet has been submitted in this case. The petitioner has no criminal antecedent as has been stated in paragraph no.3 of the present bail application. The petitioner is languishing in judicial custody since 23.07.2023.

5. Learned counsel for the petitioner again submits that the similarly situated co-accused Sunil Kumar has been granted bail by a Co-ordinate Bench of this Court *vide* order dated 04.03 2024 passed in Cr. Misc. No. 13337 of 2024.

6. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the entire facts and circumstances of the case, claim based on parity and taking into account the period of custody of the petitioner as also the petitioner having no criminal antecedent, let the petitioner, abovenamed, 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 Koilwar P.S. Case No. 368 of 2023.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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