

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23674 of 2024**

Arising Out of PS. Case No.-4 Year-2024 Thana- BALRAMPUR District- Katihar

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1. ABHAY KUMAR DAS @ ABHAY DAS, MALE, AGED ABOUT 38 YEARS, S/O LATE BHAGWAT DAS R/O PATHARWARI (RAUTARA), P.S- BALRAMPUR (TELTA O.P.), DISTT.- KATIHAR.
 2. DEWEN DAS @ DEWAN DAS, MALE, AGED ABOUT 30 YEARS, S/O OPI DAS R/O PATHARWARI (RAUTARA), P.S- BALRAMPUR (TELTA O.P.), DISTT.- KATIHAR.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Singh, Advocate
For the Opposite Party/s : Ms. Nirmala Kumari, APP (I/c.)

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

2 15-04-2024 Heard learned counsel appearing on behalf
of the parties.

2. The petitioners seek bail in connection with
Balrampur (Telta O.P.) P.S. Case No.04 of 2024 registered for
the offence under Sections 341, 323, 307, 302/34 of the Indian
Penal Code.

3. As per FIR, the petitioners along with other
co-accused persons with assaulted to Birendra Nath Das as well
as Rukmini Kumari by means of lathi, etc., due to which both



sustained several injuries. It is further alleged that during course of treatment injured Birendra Nath was died at Telta Government Hospital.

4. Learned counsel appearing on behalf of the petitioners has submitted that petitioners have falsely been implicated in the present case. It is submitted that no specific allegation as regard to assault has been levelled against these petitioners. It is further submitted that petitioners are men of clean antecedent and they are in custody since 03.01.2024.

5. Learned APP appearing for the State, opposes the prayer for bail of the petitioners.

6. Considering the facts and circumstances and submissions made on behalf of the petitioners and as it appears from perusal of postmortem report that no external injuries noticed over the body of the deceased, where, viscera is preserved and no exact cause of death has ascertained and it also appears from injury report of Rumini Kumari that only cut wound was present on painful region of head of size 3" x 0.5" x 0.5" caused by hard blunt object, let both the petitioners, above named, are directed to be released on bail in connection with Balrampur (Telta O.P.) P.S. Case No.04 of 2024 on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two



sureties of the like amount each to the satisfaction of learned
C.J.M., Katihar.

(Ramesh Chand Malviya, J)

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