

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32641 of 2024

Arising Out of PS. Case No.-397 Year-2023 Thana- SUPAUL District- Supaul

Rajesh Kumar @ Deepak Kumar @ Deepak Son of Hare Ram Sah @
Hareram Prasad Gupta Resident of Village- Kariho, P.S and Dist- Supaul

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Meena Singh, Advocate

For the Opposite Party/s : Mr.Ahmad Ali, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 07-05-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Supaul P.S. Case No. 397 of 2023 dated 24.05.2023 registered for the offences punishable u/ss 341, 323, 324 and 302 read with 34 of the Indian Penal Code.

3. As per the prosecution case, the son of the informant had gone to the marriage ceremony of the daughter of Satto Mukhiya, where a scuffle took place. Thereafter, the co-accused persons, Lala Mukhiya and Rajo Mukhiya took the son of the informant to the *pandal* of Deena Babu. Later, the informant also reached there and found that the co-accused



persons Lala Mukhiya and Rajo Mukhiya with some *baraties* were assaulting his son. The co-accused Lala Mukhiya and Madan Mukhiya stabbed him with sharp weapon on his chest and stomach and the other co-accused persons were assaulting him with fists and leg. The son of the informant was declared dead during the course of treatment.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is not named in the F.I.R. The name of the petitioner has sprung up in the self confessional statement made before the police in Raghapur P.S. Case No. 204/2023. The specific allegation is against the co-accused Lala Mukhiya and Madam Mukhiya. The petitioner is accused in four other criminal cases out of which three cases are related to Excise Act as stated in para 3 of the bail petition. The petitioner is in custody since 07.01.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of



the like amount each to the satisfaction of learned Court concerned, Supaul in connection with Supaul P.S. Case No. 397 of 2023, with the condition ;-

(i). The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner are liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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