

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40796 of 2024

Arising Out of PS. Case No.-79 Year-2024 Thana- NARPATGANJ District- Araria

Md. Dilshad S/o Md. Matin Khan R/o vill - Ghoklapur, ward no. 06, P.S. - Narpatganj, Distt. - Araria

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Ramesh Kumar Singh, Adv.
For the Opposite Party/s	:	Mr.Chandra Bhushan Prasad, APP
For the Informant's	:	Mr. Dheeraj Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 04-07-2024 Heard learned counsel for the petitioner and learned counsel for the informant as well as learned A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Narpatganj P.S. Case No. 79 of 2024 dated 10.02.2024 registered for the offence/s punishable u/ss 147, 149, 341, 323, 325, 302, 201 of the Indian Penal Code.

3. As per the prosecution case, when the informant's brother and her cousin brother were going to Sukrawari Hat, Gokhlapur, in the meantime, the petitioner and the co-accused persons started assaulting them. It is further alleged that when



the informant's son went to bring household articles, in the meantime, the petitioner and the co-accused persons assaulted him with fists and legs due to that he died on the spot and kept the dead body near the canal for the purpose of concealment.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. As per postmortem report, no any external injury was found on any part of the body of the deceased. It is further alleged that the informant's son was suffering from heart ailment. Similarly situated co-accused person has already been granted bail by this Court vide order dated 15.05.2024 passed in Cr. Misc. No. 34926 of 2024. The petitioner has no criminal antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 11.02.2024.

5. Learned counsel for the informant as well as learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner and stated that the petitioner assaulted the deceased with legs on his heart due to that he died.

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, Araria in connection with Narpatganj P.S. Case No. 79 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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