

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48449 of 2024

Arising Out of PS. Case No.-10 Year-2020 Thana- KASMA District- Aurangabad

Gora Bhuiyan @ Nirmal Bhuiyan @ Niramal Bhuiyan Son of Dularchand
Bhuiyan R/O Vill.- Pipra Toli, Baljori Bigha, P.S.- Kasma, Dist.- Aurangabad

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Mohan Bhuiyan Son of Vira Bhuiyan R/O Vill.- Pipra Tola, Baljori Bigha,
P.S.- Kasma, Dist.- Aurangabad

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Mukul Kumari, Adv.
For the Opposite Party/s : Mr. Jitendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 07-08-2024 Heard learned Counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection with Kasma P.S. Case No. 10 of 2020 for the offence registered under sections 341, 323, 504, 354/34 of the Indian Penal Code and later on added Section 302 of the IPC lodged on 18.02.2020 by the informant, Mohan Bhuiyan.

3. As per the prosecution story, the informant alleged that some accused persons tried to outrage the modesty to his



sister, she ran back to house and informed the father as also the informant and when this was protested, allegation against this petitioner along with others is of assaulting them brutally. This followed the F.I.R. The father of the informant succumbed to injury as such Section 302 of the IPC has been added.

4. Learned Counsel for the petitioner submits that the omnibus allegation of assault is against this petitioner and in that background, he deserves bail. He further submitted that the petitioner has no criminal antecedent.

5. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail submitting that all the accused persons including the petitioner brutally assaulted the informant and his father, due to which the father of the informant succumbed to injury. The petitioner is named in the FIR and the FIR is of the year 2020.

6. Considering the grave allegation that has come against the petitioner, even though it is omnibus in nature, the accused persons assaulted the informant and his father. The assault on the father of the informant further proved fatal.

7. In that background, the petitioner does not deserve relief, he is well advised to file bail application after surrendering before the Court.



8. Accordingly, the anticipatory bail application stands
rejected.

(Rajiv Roy, J)

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