

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47136 of 2024

Arising Out of PS. Case No.-5 Year-2020 Thana- DIDARGANJ District- Patna

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Budhnath Kumar @ Budhnath Singh @ Budhnath Kumar Singh S/o
Rajeshwar Singh R/o Village Khaspur PS Didarganj, Distt. - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rudal Prasad, Adv.

For the Opposite Party/s : Mr. Ram Bilash Roy Raman, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 30-08-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks bail in connection with Didarganj P.S. Case No. 05 of 2020, registered for the offences punishable under Sections 147, 148, 149, 448, 341, 323, 307, 379, 504 and 506 of the Indian Penal Code, and later on Section 302 of the Indian Penal Code was added.

3. The prosecution case, in brief, is that all the accused persons including this petitioner variously armed came to the house of informant and assaulted the father of informant and when other family members came to save, they were also assaulted by them. Later on, father of informant died during course of treatment.

4. It is submitted on behalf of petitioner that allegation



of assault is general and omnibus. Case and counter case. It is further submitted that only one external injury was found during postmortem on the body of deceased, which itself falsify the entire prosecution case. It is next submitted that similarly situated co-accused persons have already been granted regular bail by this Court *vide* Cr. Misc. No. 10697 of 2022 dated 20.04.2022 and Cr. Misc. No. 10245 of 2022 dated 20.04.2022 (Annexure-P/6). Petitioner is in custody since 05.12.2023.

5. Learned A.P.P. appearing on behalf of the State opposed the prayer for bail.

6. Having considered the period of custody and similarly situated co-accused persons have already been granted bail, let the above named petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge-III, Patna City in connection with Sessions Trial No. 496 of 2024 arising out of Didarganj P.S. Case No. 05 of 2020.

(Prabhat Kumar Singh, J)

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