

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63598 of 2024

Arising Out of PS. Case No.-81 Year-2022 Thana- KRITYANAND NAGAR District- Purnia

Bucho Mandal @ Buchi Mandal S/o- Late Fekhan Mandal Resident of Sant
Nagar chanka PS- K. Nagar District- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajit Kumar Singh, Advocate

For the Opposite Party/s : Mr. Madan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

- 3 25-10-2024 1. Heard learned counsel for the petitioner and the
learned APP for the State.
2. The petitioner seeks regular bail in connection
with K. Nagar (Champa Nagar) P.S. Case No. 81 of 2022 dated
15.02.2022 registered for the offence(s) punishable under
Section(s) 147, 148, 149, 341, 323, 324, 325, 307, 504, 506 of
the Indian Penal Code and later on section 302 of the Indian
Penal code was added.
3. Mr. Ajit Kumar Singh, learned counsel for the
petitioner submits that the petitioner has fair and clean
antecedent and has been languishing in jail since 28.06.2024, in
the FIR altogether nine persons including the petitioner have
been named and 30-35 persons have been shown as unknown as
being involved in the commission of the alleged occurrence, the



alleged occurrence was not pre-planned, in the present matter one namely, Surya Naryan Yadav is said to have succumbed to his injuries but there is no specific allegation against this petitioner to have assaulted the said deceased. It is further submitted that though the petitioner is alleged to have assaulted the informant's brother namely, Sanjay Yadav but the prosecution has not filed any injury report of the said Sanjay Yadav and even the prosecution has not pointed out any material in the case diary to show that the said injured person received any kind of medical treatment. It is further submitted that two co-accused persons namely, Sunder Kumar @ Arbind Kumar and Kiran Devi have been granted bail by this court vide order dated 21.09.2022 passed in Cr. Misc. No. 35401 of 2022 and the petitioner's case stands on better footing from the said co-accused. It is further submitted that the petitioner is a handicapped person with 40 % disability.

4. Though, Mr. Madan Kumar, learned APP appearing for the State has opposed the bail prayer of the petitioner but fairly accepted that there are no details of any kind of medical treatment having been provided to the informant's brother namely, Sanjay Kumar, who is said to have been assaulted by this petitioner and other allegation as to have assaulted the



deceased is general and omnibus against this petitioner.

5. Considering the facts and circumstances of this case as well as above submissions and mainly the petitioner's fair and clean antecedent and completion of investigation against him and coupled with his physical disability as stated above and also the fact that two co-accused persons detailed above have been granted bail by this court and petitioner's case stands on better footing from them, in my opinion, it is a fit case for bail to the petitioner. Accordingly, let the petitioner named- above be enlarged on bail in connection with K. Nagar (Champa Nagar) P.S. Case No. 81 of 2022 on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned.

(Shailendra Singh, J)

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