

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59593 of 2023

Arising Out of PS. Case No.-368 Year-2023 Thana- KOILWAR District- Bhojpur

Abhimanyu Sharma @ Abhimanyu Son Of Om Prakash Village- Garnauthi
Ps- Kalanor Dist- Rohtak Haryana

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vaishnavi Singh

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

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

6 12-01-2024 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner is languishing in custody in a
case registered for the offences punishable under
Sections 147, 149, 302 of the Indian Penal Code.

It is alleged against the petitioner and other
F.I.R named accused persons and some unknown
accused that they brutally assaulted the elder brother of
the informant by lathi, danda, fists, slaps and iron rod,
as a result of which, the elder brother of the informant
succumbed to the injuries.

It is submitted by learned counsel for the



petitioner that petitioner is innocent and he has falsely been implicated in this case. From the F.I.R itself, it appears that informant is not the eye witness to the occurrence and it is very strange that no zero F.I.R was lodged either at Mankapur or at Gonda where the postmortem was conducted. Even as per F.I.R, there is no allegation against the petitioner that he was armed with which weapon or whether he allegedly assaulted with fists and slaps or with leg or with lathi danda. The CCTV footage of the Toll Plaza which has been collected by the police, it was revealed that no occurrence whatsoever was occurred at the Koilwar Toll Plaza. During investigation, some of the witnesses have stated that over theft of money in a rented room, the occurrence of assault took place and on the next day, the brother of the informant left for his village and subsequently they learnt that he died. The petitioner is languishing in custody since 23.07.2023. A statement has been made in para 3 of the petition that petitioner has no criminal



antecedent.

In contra, learned A.P.P appearing on behalf of the State has vehemently opposed the prayer for bail of the petitioner.

Considering the facts aforesaid and the period under custody, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousands) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Ara in connection with Koilwar P.S. Case No. 368 of 2023.

(Sunil Kumar Panwar, J)

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