

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75553 of 2023

Arising Out of PS. Case No.-86 Year-2023 Thana- MEDNI CHAUKI District- Lakhisarai

Deo Kumar, aged about 19 years, Male, S/O Arbind Sao @ Aravina Kumar,
R/O Village- Jhapani, P.S- Medanichauki, Distt.- Lakhisarai.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Rajnish Chandra, Advocate

For the Opposite Party : Mr. Rabindra Kumar, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

6 19-06-2024 This matter has been listed under the heading “For
Orders (on office notes)”.

2. Heard learned counsel for the petitioner and learned
A.P.P. for the State.

3. The petitioner seeks bail in connection with
Medanichauki P.S. Case No. 86 of 2023 dated 10.06.2023
registered for the offences punishable under Sections 341, 323,
325, 307, 354, 379 and 504/506 of the I.P.C.

4. As per the prosecution case, on 08.06.2023 at 4.00
P.M., when the informant was cleaning drainage, the petitioner
came on a motorcycle and tried to run over her. On protest, he



abused her and threatened that she would be killed. It is further alleged that the scuffle took place and the petitioner's mother came and pushed the informant down by catching her hairs and the petitioner crushed the informant and assaulted her by means of fists and slaps, and even disrobed her. The petitioner lifted up the informant and dashed her down due to which she received multiple injuries and her leg got fractured. When her son came to rescue, he was also assaulted by the accused. On hulla, nearby people came and brought them to Surajgarha Hospital for treatment from where they were referred to Lakhisarai for better treatment. It is further stated that the petitioner snatched silver chain from the informant's possession.

5. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is submitted that the both parties are own gotias. It is further submitted that the occurrence took place on 08.06.2023 and the F.I.R. has been lodged on 10.06.2023 after a delay of two days for which no explanation was given by the prosecution. The matter has already been compromised between the parties on 01.07.2023 and the informant died her natural death on 13.07.2023 as it is evident from the affidavit dated 25.08.2023 sworn by the informant's sons stating therein that



their mother being aged about 65 years died due to her natural death. From perusal of the Viscera report, it appears that No Metallic, Alkaloidal, Glycosidal, Pesticidal and Volatile Poison could be detected in the dark brown fluid as described above. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail petition. He is in custody in this case since 11.06.2023.

6. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

7. 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 J.M. Ist Class, Lakhisarai, in connection with Medanichauki P.S. Case No. 86 of 2023 with further condition:-

(I) The petitioner is directed to remain physically present before the learned court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner are liable to be cancelled.



8. The application stands allowed.

(Chandra Prakash Singh, J)

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