

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76166 of 2024

Arising Out of PS. Case No.-319 Year-2023 Thana- LALGANJ District- Vaishali

Prabhat Kumar singh @ Govind Singh Son of Sumernath singh Resident of
Village- Parmanandpur, P.S.- Lalganj, Distt.- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Ranjan Mallick

For the Opposite Party/s : Mr.Anuj Kumar Shrivastava

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 20-12-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in a case registered for
offence under Sections 147, 341, 323, 379, 504, 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 on
07.09.2023, at about 8:00 a.m., while informant was at his shop,
all the F.I.R. named accused persons including this petitioner
came and started abusing him, and on protest, all the accused
persons assaulted him and took away cash of Rs. 5,000/- from
his shop. During the course of treatment, after five days of the
occurrence, informant died.



4. Learned counsel for the petitioner submits that present case is counter blast of Lalganj P.S. Case no. 320 of 2023, which has been lodged by this petitioner against informant and others. It is further submitted that F.I.R. has been lodged after a delay of 3 days and there is no plausible explanation of delay, which itself creates doubt over the veracity of prosecution case. Allegation of assault is general and omnibus and no specific overt act has been alleged against this petitioner. In the *post-mortem* report also, the cause of death is 'Cardiac Failure'. Learned counsel for the petitioner further submits that similarly situated co-accused Vinod Kumar Singh and Manoj Singh, having similar & identical allegation, have already been granted bail by this Court vide order dated 31.08.2024 passed in Cr. Misc. No. 55619 of 2024 and order dated 06.09.2024 passed in Cr.Misc. No. 46302 of 2024 respectively. Petitioner is in custody since 26.08.2024.

5. Learned A.P.P. for the State vehemently opposed the bail petition.

6. Considering the aforesaid facts and circumstances, 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 learned Chief Judicial



Magistrate, Vaishali at Hajipur in connection with Lalganj P.S.
Case No. 319 of 2023.

(Prabhat Kumar Singh, J)

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