

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77400 of 2023

Arising Out of PS. Case No.-862 Year-2022 Thana- MANER District- Patna

DANIAL HASAFARTI @ DANIYAL HASSA PURTY Son of Eliyas Hassa Murti @ Eliyas Hassa Purty R/o Eeti Paav Tola, P.S.- Mundu, District - Khunti, Jharkhand.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Saurav Karn
For the Opposite Party/s	:	Mr.Pawan Kumar Chaurasia

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 08-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under section 302 34, of the Indian Penal Code.

3. As per FIR, the allegation against the petitioner and co-accused person is that due to previous dispute they came at the brick kiln chimney of the informant and started abusing and dragging the deceased. It is further alleged that co-accused namely, Nikku Kumar assaulted the deceased by means of lathi due to which he sustained injuries and succumbed to injuries.



4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has falsely been implicated in this present case due to dirty village politics. It is submitted that the petitioner and the informant used to work at the said brick kiln chimney and due to previous dispute he dragged name of the petitioner in this alleged occurrence. There is no specific allegation against the petitioner rather the specific allegation of assaulting by means of lathi is levelled against co-accused person. As per postmortem report, the same is annexed with case diary, which shows that only one injury was found on the left leg of the deceased. It is further submitted that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 01.12.2022.

5. Learned APP appearing for the State has vehemently opposed the prayer of Bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as judicial custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Maner P.S. Case No. 862 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with



two sureties of the like amount each to the satisfaction of
learned Judicial Magistrate-Ist Class, Danapur.

(Sunil Kumar Panwar, J)

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