

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21221 of 2025

Arising Out of PS. Case No.-1007 Year-2024 Thana- DANAPUR District- Patna

1. Subhash Prasad S/O Dwarika Rai Resident of village- Lakhani Bigha, P.S.- Danapur, Dist.- Patna.
2. Rajnish Kumar @ Mithu Kumar @ Bittu Kumar @ Rajnish S/O Subhash Prasad @ Subhas Rai Resident of village- Lakhani Bigha, P.S.- Danapur, Dist.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Subodh Kumar, Advocate

For the Opposite Party/s : Mr. Shahabuddin Azeem @ S. Azeem, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 23-04-2025 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in connection with Danapur P.S. Case No. 1007 of 2024, instituted for the offences punishable under Sections 190, 191(2), 115(2), 117(2), 103, 351(2) and 352(3)(5) of the Bharatiya Nyaya Sanhita, 2023.

3. The prosecution case, in short, is that, co-accused Subodh Gope abused and pushed the informant making him fall. Then the petitioners along with other co-accused persons brutally assaulted son of the informant. It is further alleged that co-accused Subodh Gope pressed a rod on the chest of informant's son, causing suffocation and death.



4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. No incriminating material have been recovered from the conscious possession of the petitioners. Learned counsel for the petitioners also submits that the allegations levelled against the petitioners are general and omnibus in nature. No specific allegation of assault has been attributed against the petitioners. Specific allegation of assault is levelled against co-accused, namely, Subodh Gope. There is case and counter case between the parties. The petitioners are in custody since 15.10.2024 and have got no criminal antecedent. Learned counsel for the petitioners further submits that similarly situated co-accused has been granted regular bail by this Court vide order dated 03.03.2025 passed in Cr. Misc. No. 11801 of 2025.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioners.

6. Considering the aforesaid facts and circumstances of the case, case and counter case and taking into account the period of custody undergone by the petitioners, this Court is inclined to grant bail to the petitioners.

7. Let the petitioners be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with



two sureties of the like amount each to the satisfaction of Court
below/concerned Court in connection with Danapur P.S. Case
No. 1007 of 2024.

(Rudra Prakash Mishra, J)

Rajorshi/-

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