

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49120 of 2024

Arising Out of PS. Case No.-182 Year-2024 Thana- BARH District- Patna

1. Harendra Singh Son of Late Baleshwar Prasad Singh R/O Vill.- Rana Bigha Fatehpur Tola, P.S.- Barh, Dist.- Patna
2. Deepak Kumar @ Deepu Singh Son of Harendra Singh R/O Vill.- Rana Bigha Fatehpur Tola, P.S.- Barh, Dist.- Patna

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ritwik Thakur, Adv
For the State : Mr. Ram Priya Sharan Singh, APP
For the Informant : Mr. Raj Kishore Srivastave, Adv

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

13 16-07-2025

Heard learned counsel for the petitioners, learned

counsel for the Informant and learned APP for the State.

2. Petitioners apprehend their arrest in a case registered for the offences punishable under Sections 302/34 of the Indian Penal Code.

3. The prosecution case as unfolded in the FIR is that the son of the informant Karu Singh was assaulted by three accused persons including the petitioners. They came and called Karu Singh and assaulted him. Further, these three persons once again came after sometime and dragged him and assaulted him by means of fists and kicks and the said Karu Singh was beaten to death.



4. Learned counsel for the petitioners submits that the allegation made in the FIR does not at all stand corroborated by the medical evidence as the post mortem report itself indicates that there is only an abrasion over mid upper lip and lacerated wound over the right external ear and no other external injuries were found on the rest of the body parts. The post mortem report would further reveal that the deceased also had liver cirrhosis and hence, it strengthens the contention made on behalf of the petitioners that it was actually the drinking habit of the deceased which caused his death. Further there is no internal injury present on body and the viscera report reveals that no volatile poison could be detected except Ethyl Alcohol and it has been stated that Ethyl Alcohol is the chief intoxicant ingredient of all the alcoholic beverages.

5. Learned APP for the State and learned counsel for the Informant however opposes the grant of anticipatory bail on the ground that the deceased was assaulted.

6. Considering the aforementioned facts and circumstances, let, the above named petitioners in the event of their arrest/ surrender within a period of four weeks from today, be released on bail on furnishing bail bonds of Rs 10,000/- (ten thousand) with two sureties of the like amount each to the



satisfaction of the learned court below where the case is pending/ successor court in Barh P.S.Case No. 182 of 2024 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Soni Shrivastava, J)

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