

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78603 of 2024

Arising Out of PS. Case No.-149 Year-2023 Thana- AMNAUR District- Saran

Rupesh Kumar @ Rupesh Kumar Singh S/o Dilip Kumar Singh R/o Village
and PO- Dharhara Kala, PS- Amnour, Distt- Saran

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Chandra Shekhar Singh, Advocate
For the Opposite Party/s	:	Mr.Rabindra Kumar, APP
For the Informant	:	Mr. Yashraj Ballav, Advocate

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 03-04-2025 Heard learned counsel for the petitioner, Informant
and learned APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 341, 323, 324, 307, 504 and 506/34 of the Indian Penal Code and later on Section 302 of the Indian Penal Code has also been added.

3. The case of the prosecution is that when the informant and his father after attending ‘*Shardh*’ ceremony were returning, all the accused persons including the petitioner herein attacked them. The allegation against this petitioner is that he was having ‘*knife*’ in his hand and gave ‘*knife*’ blow to the informant and his father. The other accused persons assaulted with ‘*lathi*’ . The father of the informant died during treatment.



Hence, the present FIR.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in connection with the present case. It is further submitted that there is also counter version of this case in which it is alleged that the petitioner's side have also received injury. Further submission is that co-accused persons, namely, Dilip Kumar Singh, Saurav Kumar @ Lalu @ Saurav Kumar Singh and Golu Kumar have also extended the privilege of bail vide order dated 06.02.2024, 20.02.2024 and 23.11.2023 passed in Cr. Misc. Nos. 4099 of 2024, 7914 of 2024 and 73225 of 2023 by a co-ordinate Benches of this Court. It is further submitted from perusal of the post-mortem report that the cause of death was hemorrhage, shocked it complicating caused by head injuries and above noted multiple injuries resulting from blunt forces whereas the allegation against this petitioner is that he gave '*knife*' blow. Moreover, the petitioner is languishing in judicial custody since 08.07.2024 having no criminal antecedent.

5. Learned counsel for the informant has opposed the prayer of regular bail stating that the accused persons have assaulted the informant and his father while they have gone for treatment which has come in paragraph-26 of the case diary.



However, from perusal of the paragraph-26 of the case diary, it transpires that there is no specific allegation against this petitioner of making further assault.

6. Considering the aforesaid facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Amnour P.S. Case No. 149 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned ACJM-VIII, Saran.

(Ashok Kumar Pandey, J)

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