

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88291 of 2025

Arising Out of PS. Case No.-43 Year-2025 Thana- BATIYA District- Jamui

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Durga Mathuri @ Durga Prasad Mathuri Son of Late Lattu Mathuri Resident
of Village- Modhi Gandar, P.S.- Batiya, District- Jamui

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Satya Prakash Parasar

For the Opposite Party/s : Mr.Humayou Ahmad Khan

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

4 24-03-2026 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in connection with
Batiya P.S. Case No. 43 of 2025 registered for the offence under
Sections 103(1), 126(2), 115(2) read with Section 3(5) of the
BNS.

3. As per the prosecution case, when the parties
were in a fight, one brick was thrown which hit the deceased
causing his death.

4. The petitioner is in custody since 2.7.2025.

5. It has been submitted by the learned counsel for
the petitioner that the petitioner is innocent and he has falsely
been implicated in this case. He further submits that the FIR has
been registered after a delay of 13 days and the deceased has



sustained one injury but from the facts of this case, he submits that no offence under Section 302 of the Indian Penal Code is made out against the petitioner.

6. Considering the aforesaid facts, this application is allowed.

7. Let the petitioner, above named, 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 the learned Judicial Magistrate, 1st Class, Jamui/concerned Court below in connection with Batiya P.S. Case No. 43 of 2025.

(Sandeep Kumar, J)

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