

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.50877 of 2017**

Arising Out of PS. Case No.-172 Year-2017 Thana- SAHEBGANJ District- Muzaffarpur

Ajay Sahani son of Jalandher Sahani resident of village Nawalpur P.S.  
Sahebganj, Muzaffarpur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Arun Kumar

For the Opposite Party/s : Mr. SRI SHAILENDRA KUMAR -1

**CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR**  
**MANDAL**

ORAL ORDER

2      20-11-2017      Heard both sides.

Prayer is for gran of bail in Sahebganj P.S. Case No. 172  
of 2017 registered under section 302/32 IPC.

On a trivial issue, it is alleged, the petitioner and four  
others assaulted the deceased being the brother of the informant.  
Allegation against the petitioner is that he inflicted iron rod  
blow on the head which resulted in the death of the deceased the  
following day.

Learned counsel for the petitioner submits that there is  
delay in lodging the FIR. Death occurred on 12<sup>th</sup> June, 2017  
whereas the FIR was lodged on 14<sup>th</sup> June, 2017. From bare  
reading, it shall appear that there was a bonafide land dispute.  
The petitioner is in custody since 12.06.2017 having no criminal



antecedents.

Counsel for the State opposed the prayer and submitted that the doctor found the corresponding injury on the deceased. During investigation, witnesses have supported the charges/allegation.

In the circumstances, prayer for bail made on behalf of the petitioner is rejected.

If there is undue delay in taking up the trial, the petitioner may renew his prayer for bail in the court below.

**(Kishore Kumar Mandal, J)**

HR/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

