

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4853 of 2018

Arising Out of PS.Case No. -73 Year- 2017 Thana -GARKHA District- SARAN

=====

Rajani Kant Singh S/o Ram Sanehi Singh, R/o Village- Mahammadpur,
P.S.- Garkha, District- Saran at Chapra.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioner/s : Mr. Udai Shankar Singh

For the Opposite Party/s : Mr. Rajendra Nath Jha

=====

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2, 02-02-2018

Heard learned counsel for the petitioner and

the learned A.P.P. for the State.

Petitioner, in the present case, is seeking regular bail in connection with Garkha P.S. Case No. 73 of 2017 registered for the offence punishable under Sections 302, 34 of the Indian Penal Code, pending in the court of learned A.C.J.M., Vth, Chapra.

Learned counsel for the petitioner submits that as per allegation the petitioner and his entire family i.e. his wife and children had participated in the alleged occurrence in which the husband of the informant was assaulted which ultimately proved fatal causing death of the husband.

Learned counsel submits that petitioner has



been falsely implicated because of some land dispute.

On the other hand, learned Additional Public Prosecutor representing the State opposes the prayer for bail and submitted that from the post mortem report which has been taken note of by the learned 11th Additional Sessions Judge, Saran at Chapra, in his impugned order it clearly appears that the deceased was brutally assaulted by *lathi* and brick and due to such injury he has succumbed to the injury and died.

Considering the facts and circumstances of the case where it is alleged that the occurrence took place within the house and specific allegations are there against this petitioner of assaulting his brother which ultimately proved fatal, I am not inclined to grant regular bail to the petitioner.

Accordingly, prayer for regular bail of the petitioner is rejected.

(Rajeev Ranjan Prasad, J.)

U T

