

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49868 of 2018

Arising Out of PS. Case No.-232 Year-2016 Thana- KATEYA District- Gopalganj

Deo Narain Ram , Son of Late Birjhan Ram , Resident of Village- Neharua
Khurd, P.S. - Kateya, District- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Sri Sanjay Kumar Pandey No.-5

For the Opposite Party/s : Sri Ramesh Chandra, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 20-08-2018 Heard Sri Sanjay Kumar Pandey No. 5, learned
counsel for the petitioner and Sri Ramesh Chandra, learned
Additional Public Prosecutor.

The sole petitioner, who is in custody since
11.04.2018 in connection with Kateya P.S. Case No. 232 of
2016 (GR No. 3087 of 2016) , registered for the offence under
Sections 147, 148, 149, 341, 323, 324, 307, 302 and 504 of the
Indian Penal Code, 1860 (hereinafter referred to as the “I.P.C.”)
and Section 3 & 4 of the Dyne Act, has prayed for grant of
bail.

Learned counsel for the petitioner submits that on
perusal of the F.I.R. itself it is evident that petitioner has given
only one blow of iron rod and there is no allegation of
repetition. Accordingly, it has been argued that in this case



Section 302 of the I.P.C. may not apply. However, considering the fact that petitioner is the main assailant, there is no reason to entertain the prayer for bail.

The prayer for bail stands dismissed.

(Rakesh Kumar, J)

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