

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32974 of 2018

Arising Out of PS.Case No. -131 Year- 2017 Thana -RAJAULI District- NAWADA

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1. Ratan Prasad S/o Late Tilakdhari Prasad, R/o Vill.- Dhamuchak, P.S.-
Rajauli, District- Nawada.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Chandra Sen Prasad Singh, Adv.

For the Opposite Party/s : Mr. Sri Rajeev Nayan, A.P.P.

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 04-07-2018 Heard learned counsel for the petitioner and the
learned counsel appearing for the State.

The petitioner is in custody since 31.01.2018 in connection with Rajauli P.S. Case No. 131 of 2017 registered for the offence under Sections 341, 323, 324, 326, 307, 34, and 302 of the Indian Penal Code.

Learned counsel for the petitioner submits that the entire dispute is a family dispute which had occurred on account of the fact that the petitioner and others had protested against the construction of new wall and they had tried to demolish the same. It is further submitted that all the family members came there and they also started assaulting and as a result of which the present F.I.R. has been registered. Learned counsel for the petitioner



further submits that the allegation against the petitioner is that the petitioner had given sword blow on the head of the brother of the informant and the death of the deceased has occurred after 45 days of the occurrence due to some medical operation.

However, diary in this case has been called for which has since been received.

However, after perusal of the diary and upon consideration of the material which are there in the Post Mortem Report, it appears that the injuries were serious enough to cause death of the deceased and the main blow of assault has been attributed to the petitioner. As such, I am not inclined to enlarge the petitioner on bail, accordingly, the application of prayer for bail is rejected.

(Anjana Mishra, J.)

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