

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27723 of 2019

Arising Out of PS. Case No.-685 Year-2018 Thana- NAWADA District- Nawada

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1. SHASHI KANT KUMAR @ MUNNA THAKUR @ SHASHI KANT
 2. Ravikant Sharma @ Chunnu Thakur
 3. Kundan Kumar
All sons of Jai Prakash Thakur @ Binod Thakur
 4. Jai Prakash Thakur @ Binod Thakur S/o Late Hazari Thakur
All Residents of Village- Fatana, P.S.- Town (Kadirganj O.P.), District- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rajeev Kumar, Advocate
For the informant	:	Mr. Deepak Kumar, Advocate
For the State	:	Dr. Rabindra Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 15-07-2019 Heard learned counsel for the petitioners, counsel
for the informant and the State.

The petitioners seek bail in **Sessions Trial No. 60 of 2010/289 of 2019 arising out of Nawada P.S. Case No. 685 of 2018** instituted for the offence under Section(s) 447, 147, 148, 149, 341, 323, 308, 379, 506, 504 of Indian Penal Code. Subsequently, Section 302 of the Indian Penal Code was added.

It is alleged in the written report that on the date of occurrence, while the informant along with his father was cleaning his Magic vehicle in front of the house, the petitioners



armed with iron rod came and started abusing. The father of the informant protested, then petitioner Nos. 1, 2 and 4 assaulted him on his head causing bleeding injury and he fell down on the ground. The informant went to save his father, then he was also assaulted by the petitioners with iron rod on the head causing head injury. The father of the informant subsequently died. It is further alleged that cousin brother Ranjit Thakur, mother Parvati Devi, cousin Bhabhi Sulekha Devi and wife Rupa Devi came to save the informant, then petitioner Nos. 2 and 3 assaulted Ranjit Thakur with iron rod on his head. Ruchi Kumari and Anu Kumari assaulted with iron rod and bricks on the head of Bhabhi of the informant Sulekha Devi. Petitioner No. 2 and Beena Devi also gave rod and bricks blow to mother of the informant. Ruchi Kumari also assaulted the wife of informant with iron rod.

Case diary has been received.

Learned A.P.P. has submitted that in the post mortem report cause of death has been opined by the Doctor to be head injury caused by hard and blunt substance.

Counsel for the informant has appeared and submitted that total five persons sustained injury besides the deceased. The injury report of all the five injured is available in



the case diary. He further submits that charge has been framed.

Therefore, looking into the serious allegation against the petitioners of assaulting father of the informant and his other family members with iron rod, this Court is not inclined to grant bail to the petitioners.

Prayer for bail of the petitioners stands rejected.

The trial court is directed to expedite the trial and make efforts to conclude the trial within a period of nine months. In the event to substantive progress is made in the trial, the petitioner may renew his prayer for bail after nine months.

(Sanjay Priya, J)

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