

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36763 of 2019

Arising Out of PS. Case No.-246 Year-2018 Thana- MANER District- Patna

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RAMESH RAI @ NUNNU @ NONU @ RAMESH Son of Jai Shankar Rai
Resident of Village - Byapur, P.S.- Maner, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Usha Kumari Singh

For the Opposite Party/s : Mr.Uma Shankar Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 13-08-2019 Heard the learned counsel for the petitioner, the informant and the learned A.P.P. for the State.

The petitioner seeks bail in S.Tr. No. 570/2018, arising out of Maner P.S. Case No. 246/2018, instituted for offence under Sections 302 of the Indian Penal Code.

Petitioner is younger brother of deceased.

It is alleged in the written report that on the date of occurrence while husband of informant was sleeping on the cot, petitioner came and dragged him in the street. The petitioner assaulted him on his head on account of which he fell down. Thereafter petitioner assaulted him repeatedly with leg on his chest, who died on the spot.

Learned counsel for State has submitted that statement of daughter of deceased has been recorded in para 8 of case diary wherein she has levelled specific allegation of



assaulting her father with iron rod against this petitioner. Informant has also stated in her further statement that this petitioner has assaulted her husband with iron rod on account of which he fell down on the ground and subsequently died.

Post-mortem report is available in case diary, which shows that deceased has sustained lacerated wound over back of head near occipital and other injury on the chest. Doctor has opined cause of death due to haemorrhage and shock leading to cardio resp. failure as a result of aforesaid multiple injuries caused by heavy hard and blunt object.

In the written report, there is specific allegation against this petitioner of assaulting the husband of informant.

In view of such, this Court is not inclined to grant bail to the petitioner. Accordingly, prayer for bail of petitioner is rejected.

The trial court is directed to expedite the trial and make efforts to conclude the same as early as possible preferably within a period of nine months from the date of receipt of this order.

(Sanjay Priya, J)

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