

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31801 of 2019

Arising Out of PS. Case No.-374 Year-2018 Thana- TAJPUR District- Samastipur

Sanjay Rai @ Sanjay Kumar Rai, Son of Munshi Lal Ray, aged about 45 years, Sex: Male, Resident of village- Darba, P.S. Tajpur (Halai O.P.), District- Samastipur, Bihar.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Raghunandan Kumar Singh, Adv.

For the Opposite Party/s : Mr.A.P.P.

Mr. Rajeev Ranjan, Adv.

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 13-06-2019 Heard Sri Raghunandan Kumar Singh, learned counsel for the petitioner, learned Addl. Public Prosecutor as well as Sri Rajeev Ranjan, learned counsel for the informant.

The sole petitioner, who is in custody since 24.02.2019, has prayed for grant of bail in Tajpur (Halai O.P.) P.S. Case No.374 of 2018 registered for offence under Sections 302, 307, 323, 34, 341, 379 and 504 of the Indian Penal Code.

It was submitted by learned counsel for the petitioner that though in the F.I.R. the informant has alleged that the petitioner had given Farsa blow on the head of mother of the informant, during postmortem examination, injury was noticed to be caused by hard and blunt substance and, as such, he submits that it is a false case. He further submits that there is



case and counter case in between the parties. Accordingly, a prayer has been made for grant of bail.

Learned counsel for the informant has opposed the prayer for bail. It has been argued that in the F.I.R. there is specific accusation that the petitioner was the first person, who had given Farsa blow on the head of mother of the informant.

Besides hearing learned counsel for the parties, I have perused the material on record and also F.I.R. and after going through the same, it is evident that the petitioner was the first person, who had given Farsa blow on the head of mother of the informant. Thereafter, mother of the informant was brutally assaulted by other accused persons and, subsequently, she died. Besides this, the petitioner is also accused in other two cases, which is evident from paragraph-3 of the petition.

Accordingly, there is no reason to pass favourable order. The prayer for bail stands dismissed.

(Rakesh Kumar, J.)

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