

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71009 of 2019

Arising Out of PS. Case No.-266 Year-2018 Thana- BHANGWANPUR HAT District- Siwan

Dharmendra Prasad Son of Krishna Prasad Resident of Village - Shankarpur,
P.S.- Bhagwanpur Hat, District - Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Mukesh Kumar Singh, Advocate
For the Informant	:	Mr. Maheshwar Prasad, Advocate
For the Opposite Party/s	:	Mr. Anand Mohan Prasad Mehta, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

4 22-11-2019 Heard learned counsel for the petitioner, learned
counsel appearing on behalf of the informant and learned A.P.P.
for the State.

The petitioner seeks bail in connection with
Bhagwanpur Hatt P.S. Case No. 266 of 2018, registered for the
offence punishable under Sections 341, 323, 307, 302, 34 of the
Indian Penal Code.

Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case due to land dispute. It is further submitted that there
is no specific role attributed to the present petitioner. The
petitioner is in custody since 30.03.2019.

Learned A.P.P. appearing on behalf of the State



vehemently opposed the prayer of the petitioner by contending that the petitioner along with other family members brutally assaulted the father-in-law of the informant by means of *Dab, farsa and iron rod*. Thereafter, they brutally assaulted *Dewar* and cousin father-in-law of the informant, as a result of which, father-in-law of the informant died in course of treatment. It is further submitted that the Injury Report also corroborated the allegation. Hence, he does not deserve privilege of bail.

Having considered the facts and circumstances of the case and the nature of allegation, I am not inclined to allow the prayer of the petitioner for bail.

Accordingly, this application stands rejected.

(Arvind Srivastava, J)

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