

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.6175 of 2020**

Arising Out of PS. Case No.-233 Year-2019 Thana- RAFIGANJ District- Aurangabad

JANARDAN BHUIYAN @ JANARDHAN BHUIYAN Son of Bhikhari
Bhuiyan Resident of Village - Charkawan, Upari Dih, P.S.- Rafiganj, Distt -
Aurangabad.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Mukul Kumari, Advocate

For the Opposite Party/s : Mr.Rana Randhir Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

4 09-06-2020

This application has been placed for consideration by the
order of the Hon'ble the Chief Justice through virtual court
proceeding.

Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner in the present case is seeking regular bail in
connection with Rafiganj P.S. Case No. 233 of 2019 registered for
the offences punishable under Section 302 of the Indian Penal Code.

Learned counsel for the petitioner submits that the
petitioner has committed no offence and he has been falsely
implicated. It is submitted that there is no eye-witness to the alleged
occurrence but the petitioner has been dragged in this case due to
family dispute.

Learned APP for the State has opposed the prayer for
regular bail. It is submitted that in course of investigation father of



this petitioner who is the father-in-law of the deceased and the sister-in-law of the deceased have specifically alleged that this petitioner had assaulted the deceased repeatedly by a stick. The post mortem report supports the allegations as the doctor has found lacerated wound on the left side of the forehead and the forehead as well as Jaw of the deceased were found fractured.

Considering the facts and circumstances of the case, wherein the deceased happened to be the Behnoi of this petitioner and when he had gone to the house of this petitioner and was in his Sasural during the night an altercation took place between the petitioner and the deceased and the father of the petitioner who is an eye-witness has specifically narrated the whole story making allegations against the petitioner.

This being the position, I am not inclined to grant regular bail to the petitioner.

The application is dismissed.

Let the trial be expedited.

(Rajeev Ranjan Prasad, J)

SUSHMA2/Arvind

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

