

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9907 of 2020

Arising Out of PS. Case No.-133 Year-2019 Thana- MUSAHARI District- Muzaffarpur

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Gauri Shankar Singh @ Mangra @ Gouri Shankar, aged about 40 years,
Gender Male, Son of Late Nand Kishor Singh Resident of Village - Chhapra
Megh, P.S.- Mushari, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Abhay Kumar

For the Opposite Party/s : Mr.Satyendra Prasad

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

3 19-06-2020 Heard learned counsel for the petitioner and learned
counsel for the State through video conferencing.

In this case, the petitioner is seeking bail in
connection with Mushari P.S. Case No. 133 of 2019 registered
for offences under sections 302/34 of the Indian Penal Code.

From the First Information Report, it appears that
the victim had gone to attained the marriage of his niece which
was to be solemnized on 15.5.2019. At about 5.30 PM, the
victim had gone to temple for Puja with D.J. which was playing
which was stopped. Thereafter, Dinanath Kumar asked the
operator to start playing whereupon the quarrel started. It has
also been alleged that Gauri Shankar Singh, the present
petitioner, and other accused persons assaulted the victim with



Lathi, Danda and iron rod. The brother of the Informant became seriously injured who ultimately died.

Learned counsel for the petitioner submits that the nature of injury made in the postmortem report is not in consonance with the statement made in the First Information Report and not only the petitioner but, other persons have also joined in the assault.

From perusal of different paragraphs of the Case Diary, it appears that it is the petitioner who has started to assault the victim who ultimately succumb to his injury.

Looking to the specific allegation made against the petitioner as also considering the entire facts and circumstances of the case, this Court is not inclined to grant bail to the petitioner.

Accordingly, the prayer for bail of the petitioner, above named, is rejected.

(Shivaji Pandey, J)

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