

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14559 of 2020**

Arising Out of PS. Case No.-121 Year-2019 Thana- SAHEBGANJ District- Muzaffarpur

RAM EKBAL RAI S/o Late Bindeshwar Rai Resident of Village- Husepur
Pachrukhiya, P.S.- Sahebganj, Distt- Muzaffarpur

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Yugal Kishore

For the Opposite Party/s : Mr. B. N. Pandey

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER**

3 03-06-2020 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State, through video
conferencing.

The petitioner seeks regular bail in connection with
Sahebganj Police Station Case No. 121 of 2019, registered for
the offences punishable under Sections 341/323/324/307/302/34
of the Indian Penal Code.

The allegation against the petitioner is that the
petitioner, along with other co-accused persons, entered into the
house of the informant on 25.03.2019 and assaulted the
informant and his brother, Achhey Lal Rai. The petitioner
assaulted the brother of the informant by means of gupti (a
sharp-pointed weapon). Subsequently, the brother of the
informant succumbed to the injuries.



Learned Counsel for the petitioner submits that both the parties are related to each other inasmuch as the petitioner is the own brother of the deceased and the informant and there is land dispute between them. He further submits that there was free fight between the parties and the petitioner has no intention to kill the deceased and it was due to sudden provocation that the present occurrence has taken place.

On the other hand, learned Additional Public Prosecutor vehemently opposes the prayer for bail and submits that from perusal of the post mortem examination report, it is evident that the deceased has sustained stab injuries in his abdomen and upper part of his stomach and the cause of his death is due to the injuries caused by the sharp pointed weapon. He further submits that the informant was also injured who has narrated the incident in the first information report.

After having heard learned Counsel for the parties and taking into consideration the materials available on record and the fact that the petitioner is the man assailant, I am not inclined to grant regular bail to the petitioner.

This application is, accordingly, dismissed.

However, the petitioner may renew his prayer for bail after one year from today if the trial does not show any



progress.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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