

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27320 of 2020

Arising Out of PS. Case No.-94 Year-2020 Thana- BHABHUA District- Kaimur (Bhabua)

1. Neeraj Prasad Gond @ Neeraj Kumar Gond aged about 27 years Son of Paras Gond Resident of Village- Bhabhua Ward No. 17, P.O. and P.S.- Bhabhua, District- Kaimur.
2. Vijay Kumar Gond @ Vijay Gond aged about 40 years Son of Ram Sundar Gond Resident of Village- Bhabhua Ward No. 17, P.O. and P.S.- Bhabhua, District- Kaimur.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners	:	Mr. Akhouri Vipin Bihari Shrivastava, Advocate
For the State	:	Mr. Shailendra Kumar Singh A.P.P.
For the informant	:	Mr. Dhaneshwar Pd.Gupta, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 08-12-2020 Heard learned counsel for the petitioners, the informant and the State via Video Conferencing.

Petitioners apprehend arrest in Bhabha Police Station Case No. 94 of 2020 registered for the offences punishable under Sections 379, 307/302 and other allied sections of the Indian Penal Code.

As per the prosecution case, petitioners assaulted the victim by screw driver and pilas and when he fell down petitioner no. 2 and other co-accused Shiv Prasad Gond @ Bachcha assaulted the victim with lathi. The victim succumbed to the injuries during treatment.

Learned counsel for the petitioners submits that in fact



no such occurrence took place and the instant false and fabricated case has been filed with an intention to harass the petitioners as Title suit no.177 of 2020 has already been filed by petitioner no.1 against the informant and others.

Learned counsel for the State as well as the informant oppose the prayer for bail submitting that there is specific allegation against the petitioners that they assaulted the victim as a result of which he died during treatment.

Considering the gravity of the allegation against the petitioners, their prayer for bail is refused with direction to surrender and seek regular bail which would be considered and disposed of on its own merit without prejudice.

(Prabhat Kumar Singh, J)

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