

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26482 of 2020

Arising Out of PS. Case No.-137 Year-2018 Thana- ASANWA District- Siwan

SONU KUMAR Son of Sanesh Paswan Resident of Village - Shivpur Sakra,
P.S. Assaon, District – Siwan Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prashant Kumar, Adv.
For the Opposite Party/s : Mr. Ajay Kumar Pandey, Adv.
For the State : Mr. Jay Narayan Thakur, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 12-10-2020 Heard Mr. Prashant Kumar, learned counsel for the petitioner, Mr. Ajay Kumar Pandey, learned counsel for the informant and Mr. Jay Narayan Thakur, Additional Public Prosecutor for the state through video conferencing.

Petitioner seeks regular bail in connection with Assaon PS Case No. 137/2018 registered for the offence punishable under Sections 341, 323, 324, 379, 307, 448, 504, 506/34 of the IPC.

The allegation against the petitioner, as per First Information Report, is that he assaulted mother-in-law of the informant by means of Farsa causing injury on her head. Later on, the mother-in-law of the informant succumbed to her injuries and subsequently, Section 302 IPC was added.

Learned counsel for the petitioner submits that both the parties are neighbours and there is land dispute between



them. Learned counsel further submits that there is case and counter case inasmuch as side of the petitioner has lodged Assaon PS Case No. 131/2018 against the informant and her family members. Learned counsel also submits that the FIR lodged by the side of the petitioner is prior in time and after delay of 12 days, the present FIR has been lodged. Learned counsel next submits that petitioner is in custody since 10.02.2020.

Learned counsel for the informant, on the other hand, vehemently, opposes the prayer for bail and submits that there is direct allegation of assault against the petitioner and the doctor has opined the cause of death due to injury sustained on the head of the deceased.

Having regard to the submissions made by the parties and taking into consideration the material on record, I am not inclined to grant regular bail to the petitioner at this stage, accordingly, the same is rejected. However, the petitioner may renew his prayer for bail after six months.

(Anil Kumar Sinha, J)

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