

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87197 of 2019

Arising Out of PS. Case No.-183 Year-2019 Thana- BHARGAMA District- Araria

TIRAN SHARMA S/o Akalu Sharma R/o village- Mahthawa Bazar, Ward
No. 05, P.S.- Bhargama, District- Araria

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kundan Kumar Singh
For the Opposite Party/s : Mr.Akhileshwar Dayal

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 19-02-2020 The petitioner seeks regular bail in connection with
Bhargama P.S. Case No. 183 of 2019, registered for offences
punishable under Sections 302 and 34 of the Indian Penal Code.

Prosecution case in short is that the petitioner was putting a peg for tying the cattle in the land near the house of brother of informant, which was objected by the said brother, on which, petitioner assaulted on the head of brother of informant by means of iron rod due to which, he received injury and fell down and became unconscious and when the informant went to save his brother, he was also assaulted by the petitioner and others. It is further alleged that his brother in course of his treatment succumbed to the injury.

It has been submitted on behalf of the petitioner that in para -9 of the case diary, statement of the wife of the deceased



has been recorded and she has not named the petitioner as the assailant, however, learned counsel for the petitioner fairly admitted that in para – 8 and 10, other witnesses disclosed that petitioner and others have assaulted the deceased. Further submission is that petitioner has no criminal antecedent and he has been in custody since 05.08.2019.

Learned counsel for the State opposed the prayer for bail on the ground that there is direct allegation against the petitioner of assaulting the brother of informant by means of iron rod due to which, he sustained serious injury and succumbed to his injury in course of treatment.

Having heard both sides, considering the facts and circumstances and the nature of allegation, I am not inclined to enlarge the petitioner on bail.

This application is accordingly dismissed.

(Vinod Kumar Sinha, J)

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