

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10965 of 2021

Arising Out of PS. Case No.-310 Year-2020 Thana- UDWANTNAGAR District- Bhojpur

Kaushal Sharma, Son of Late Parshuram Sharma, Resident of Village -
Akhtiyarpur, P.S.- Udwantnagar, Dist.- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Baxi S.R.P. Sinha, Sr. Advocate
		Mr. Brajesh Prasad Gupta, Advocate
For the Opposite Party/s	:	Mr. Ram Anurag Singh, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 06-07-2021 The matter has been taken up today for consideration
through video conferencing.

The learned counsels are appearing and making submissions from their residence. The Court Master and Secretary are also part of this virtual Court proceedings from their homes, all with the aid of audio visual technology.

Heard Mr. Baxi S.R.P. Sinha, learned Senior Counsel appearing for the petitioner and the learned APP for the State.

The petitioner seeks bail in connection with Udwantnagar (Gajrajganj O.P.) P.S. Case No.310 of 2020 registered for the offence punishable under Section 302 of the Indian Penal Code, which is pending in the court of learned Chief Judicial Magistrate, Bhojpur.



Informant has alleged that the petitioner, who is his cousin, has come in front of his house and assaulted his father who succumbed to his injuries.

Petitioner's counsel submit that it is a case of false implication. The petitioner had no idea that such petty assault would result in the death of his uncle. The petitioner is in custody since 23.08.2020. It is further submitted that the petitioner had one criminal antecedent in which he has been ordered to be released on bail arising out of Udwant Nagar P.S. Case No.141 of 1990.

Learned APP for the State has opposed the prayer for bail. Drawing the attention of the Court towards the post-mortem report, copy of which has been annexed to the bail application (Annexure 2), he submit that the vital organs; lung, heart and brain, have been damaged on account of the assault. The petitioner is alleged to be the sole assailant.

Considering the rival submissions, this Court is not inclined to allow the petitioner's prayer for bail. Prayer for bail is rejected, for the present.

(Madhuresh Prasad, J)

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