

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.16253 of 2021**

Arising Out of PS. Case No.-61 Year-2020 Thana- UPHARA District- Aurangabad

1. RAMJEE PRAJAPAT @ RAMAJI PRAJAPAT Son of Late Kuldeep Prajapat Resident of Village - Nimra Tola Chandila, P.S.- Uphara, District - Aurangabad.
2. Bangali Prajapat @ Shrawan Prajapat Son of Late Laxuman Prajapat Resident of Village - Nimra Tola Chandila, P.S.- Uphara, District - Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Krishna Prasad Singh, Sr.Adv. Mr.Rakesh Singh, Adv.
For the Opposite Party/s :		Mr.Uday Chand Prasad, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

4 24-09-2021 Heard learned senior counsel for the petitioners and
Mr. Uday Chand Prasad, learned A.P.P. for the State.

Petitioners in the present case are seeking regular bail in connection with Uphara P.S. Case No.61/2020 registered for the offences punishable under Sections 147, 149, 341, 323, 324, 307, 504 and 506 of the Indian Penal Code. They are in custody since 13.11.2020. Petitioners have got no criminal history.

As per the prosecution story the eight named accused persons had assembled at the door of the informant lashed with lathi, danda and bat, they were abusing the son of the informant who protested against them whereupon the accused persons

assaulted Jaikaran Kumar, one of the sons of the informant who later on succumbed to his injuries and died, his other sons and two co-villagers came to save him but they were also assaulted.

Mr. Krishna Prasad Singh, learned senior counsel for the petitioners submits that the allegations are general and omnibus and the injury report of the Primary Health Centre shows two injuries on the body of the deceased and similarly the other persons have also received simple injuries.

Mr. Udaya Chand Prasad, learned A.P.P. for the State has opposed the prayer for bail of the petitioners. It is submitted that in this case not only one of the sons of the informant died due to the injuries suffered by him, there are four other persons who have been assaulted by the named accused persons. Learned A.P.P. submits that in this case the deceased had suffered five injuries which have come in the post-mortem report and considering that it is not only the deceased who had been assaulted rather the other members of the family and the co-villagers were also assaulted, the petitioners do not deserve privilege of bail at this stage.

Considering the facts and circumstances of the case wherein this Court has noticed that the allegations are general against these petitioners but in the alleged occurrence not only

one of the sons of the petitioner has been assaulted and five injuries have been found on his body as brought to the notice of this Court, four other persons have received the assaults and have suffered injuries, this Court is not inclined to release the petitioners on bail at this stage. Prayer for bail is, thus, refused.

Let the learned trial court proceed with the matter. The petitioners may renew their prayer for bail if the trial is not concluded within a period of nine months from the date of receipt/production of a copy of this order. The learned trial court is expected to proceed with the case as early as possible.

The application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

arvind/-

U		T	
---	--	---	--

Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.