

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.14640 of 2021**

Arising Out of PS. Case No.-65 Year-2020 Thana- DUMARIAGHAT District- East
Champaran

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Diplal Kumar S/O Rajindra Rai Resident Of Village Navin Gandhi Nagar,
Hussaini Dachhini, P.S-Dumariyaghat, District-East Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma, Advocate

For the Opposite Party/s : Mr.Md. Ehteshamuddin, APP

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

2 23-06-2021 Learned counsel for the petitioner undertakes to

remove all the defects as pointed out by office within four

weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and learned

A.P.P. for the State.

Petitioner, in the present case, is seeking regular bail

in connection with Dumariyaghat P.S. Case No. 65 of 2020

registered for the offences punishable under Section 147, 148,

149, 341, 323, 324, 307, 504, 506, 302 of the Indian Penal

Code, pending in the court of learned 1st Additional Chief

Judicial Magistrate, Motihari, East Champaran.

As per prosecution story, the informant alleged that on

18.04.2020 at about 8:30 P.M. all the accused persons including

the petitioner came at her door and started abusing her, on



protest all the accused persons committed mar-pit with her husband and the petitioner gave spear blow in the abdomen of informant's husband, and in course of treatment, the husband of the informant died.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in this case. Learned counsel submits that there is a delay of four days in lodging of the First Information Report and the petitioner is in custody since 26.06.2020 having no criminal antecedent.

Learned A.P.P. for the State has opposed the prayer for regular bail of the petitioner.

Having noticed that the petitioner is said to be the main assailant who had given the spear blow in the stomach of the husband of the informant and the learned Sessions Judge having gone through the records i.e. case diary and the post-mortem report has recorded in the impugned order that the post-mortem report supports the allegation against the petitioner and this fact has not been controverted by the petitioner before this court, in the nature of the seriousness of the allegations and the materials before this Court, the prayer for regular bail of the petitioner is refused.

Let the trial be expedited.



Learned Trial Court is expected to proceed with the trial as early as possible.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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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'.

