

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21674 of 2021

Arising Out of PS. Case No.-68 Year-2020 Thana- ARA MUFFSIL District- Bhojpur

KALKATAR MUSAHAR S/O LATE BALIHAR MUSAHAR R/O
VILLAGE-BALUYA BELGHAT, P.S-ARA MUFFISIAL, DISTRICT-
BHOJPUR.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar, Advocate

For the Opposite Party/s : Mr. Satyadeo Singh Yadav, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 17-11-2021

Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 302, 307 and other sections of the Indian Penal Code.

As per the prosecution case, the petitioner and one Sonu Mushar are stated to have given *dab* and *garasa* blow on the head of the father of the informant leading to his death.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case. From the contents of the FIR itself it would transpire that the dispute was of trivial nature. There was no intention to commit any murder. Further against the allegation in the FIR of assault by two accused persons including the petitioner, in the postmortem report only one injury has been found. The petitioner is in



custody since 12.5.2020 and has no criminal antecedent.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts of the case, the allegation against the petitioner in the FIR together with the contents of the postmortem report, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

Learned trial court is directed to expedite the trial.

(Partha Sarthy, J)

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