

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26116 of 2021**

Arising Out of PS. Case No.-281 Year-2018 Thana- BAKHTIYARPUR District- Patna

Dinesh Singh Son Of Late Chandra Singh Resident Of Village Tekabigha,
Police Station Bakhtiyarpur, District Patna

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ganesh Sharma

For the Opposite Party/s : Mr.Syed Mojibur Rahman, APP

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

3 13-09-2021 This matter is taken up for consideration through
Video Conferencing.

Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner seeks bail in Bakhtiyarpur P.S. Case
No. 281 of 2018, registered for the offence punishable under
Section 302 and other allied sections of the Indian Penal Code.

As per the prosecution case, this petitioner along with
other named accused persons and some unknown persons
intercepted the brother of informant and assaulted him by lathi,
danda, brickbat and Garasa. Specific allegation against this
petitioner is of assaulting with Garasa on the head of brother of
informant who succumbed to the injuries.

It is submitted on behalf of the petitioner that



petitioner has falsely been implicated in this case due to previous enmity. No such occurrence has taken place and he was not present at the place of occurrence. Other co-accused has already been granted bail by this Hon'ble Court. Though, allegation against this petitioner is that he assaulted with Garasa, but the doctor has found the injuries caused by hard blunt and sharp weapon. Petitioner is in custody since 28.09.2020.

Learned APP however, vehemently opposed the prayer for bail and submitted that there is specific and direct allegation of assault by Garasa on the person of deceased.

Considering the nature of accusation and gravity of offence, I am not inclined to enlarge the petitioner above-named on bail. Accordingly, the same is rejected.

(Prabhat Kumar Singh, J)

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