

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27657 of 2021

Arising Out of PS. Case No.-217 Year-2019 Thana- GAIGHAT District- Muzaffarpur

PAWAN SHUKLA S/O SANJEEV SHUKLA R/o village- Pakari, P.S.-
Gayaghat, District- Muzaffarpur

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s :	Mr.Vijay Kumar @ Vijay Kr. Singh, Advocate
For the Opposite Party/s :	Mr.Md. Fahimuddin, APP
For the Informant :	Mr. Nachiketa Jha, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 21-10-2021 Heard learned counsel for the petitioner, learned
counsel for the informant and Mr. Fahimuddin, learned A.P.P.
for the State.

Petitioner, in the present case, is seeking regular bail
in connection with Gaighat P.S. Case No. 217 of 2019 registered
for the offences punishable under Section 341, 342, 323, 324,
307, 304/34 of the Indian Penal Code. He is in custody since
19.06.2020 having no criminal antecedent.

As per the prosecution story, on 18.07.2019 while the
informant along his brother were sleeping at his door and his
father and mother were sleeping inside the house, in the
meantime, petitioner and co-accused came there and inflicted
dagger blow on his brother with an intention to kill him. The
informant further alleged that he saw that petitioner and one



Aman Shukla were inflicting dagger blow on his brother on his head and armpit. The informant tried to save him but all the four accused persons assaulted him by means of Farsa which caused cut injury on his head. On hulla, when the mother and father of the informant came, they were also assaulted. The brother of the informant succumbed to his injury.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in this case due to previous enmity, however petitioner is in custody in connection with this case since 19.06.2020 having no criminal antecedent.

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

Having regard to the seriousness of the allegation in which as per the informant who is himself injured in the occurrence this petitioner and another co-accused had given repeated dagger blow to the brother of the informant (since deceased), there being specific allegation of giving dagger blow against the petitioner which is also getting corroborated from the post-mortem report which has been noticed by the learned Sessions Judge, Muzaffarpur in the impugned order recording that the doctor has found four stabbed wounds on the person of the deceased, this Court is not inclined to release the petitioner



on bail.

Prayer for regular bail of the petitioner is, thus,
refused.

Let the trial be expedited.

(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'.

