

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30164 of 2021

Arising Out of PS. Case No.-293 Year-2020 Thana- SIRDALA District- Nawada

BIRENDRA KUMAR Son of Late Rohan Prasad Resident of Village-
Shekhawara under Maskaur, Police Station- District- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Praveen Kumar

For the Opposite Party/s : Mr.A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 27-09-2021 Heard learned counsel for the petitioner and the State.

The petitioner prays for grant of bail in Sirdalla (Meskaur) P.S. Case no.293/2020 initially, registered for the offence punishable under sections 307, 325, 506 and other allied sections of the Indian Penal Code and subsequently section 302 IPC was also added.

As per prosecution case, this petitioner and 13 others accused persons assaulted the informant, his father and other family members due to which father of the informant died during course of treatment. Specific allegation of assault is upon this petitioner by means of Khanti on father of the informant.

It is submitted on behalf of petitioner that petitioner has falsely been implicated in this case due to land dispute between the parties. Petitioner is co-villager and neighbour of the



informant. There is case and counter case between the parties and for the same incident this petitioner has lodged Sirdalla P.S. Case no.294/2020. There is general and omnibus allegation of commission of assault against all the accused persons. Petitioner is in custody since 02.02.2021 and investigation is complete.

However, learned counsel for the State opposed the prayer for bail and submitted that there is specific allegation of assault against this petitioner for causing head injuries by khanti on account of which father of informant died in course of treatment.

Considering the nature of accusation and gravity of offence, the prayer for bail of this petitioner is rejected.

(Prabhat Kumar Singh, J)

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