

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27778 of 2020

Arising Out of PS. Case No.-15 Year-2019 Thana- SONBERSA District- Saharsa

Md. Usman Son of Late Amir Bakas @ Bauka Resident of Village - Haripur,
P.S.- Sonbarsha Raj, District - Saharsa.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Sheo Kumar Prasad, Advocate
For the State	:	Mr.Manoj Kumar, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 03-03-2021 Heard learned counsel for the petitioner and the learned
APP for the State.

Learned counsel for the petitioner is expected to honor his undertaking given in the instant case for depositing the requisite court fee and to remove the defects as pointed out by office when called upon.

The petitioner seeks bail in Sonbarsa Raj PS Case No 15 of 2019, instituted for the offence under Sections 302/34 of the Indian Penal Code.

Earlier, the prayer for bail of the petitioner was rejected by this Court on 13.01.2020 vide Annexure-1.

On account of a dispute for pathway son of the informant has been brutally assaulted by all the named accused persons. There is general and omnibus allegation against all the accused persons including the petitioner and it is submitted by the petitioner's counsel that petitioner, at best, has caught hold of the informant's son, who has suffered due to the assault.

The learned APP has opposed the prayer for bail by



submitting that the specific allegation of assault by '*Dabia*' on the head of the deceased, namely, Afroj is attributed to petitioner and he has at least six other cases pending against him.

Report was called for from the learned Court below and it has been reported that the record is pending for appearance as six co -accused persons have not appeared and against them non bailable warrants have been issued.

Considering the issue in its entirety and having regard to the specific allegation of the fatal assault and criminal antecedents of the petitioner, this Court is not inclined to extend the privilege of bail to the petitioner.

Accordingly, the prayer for bail made on behalf of the petitioner stands rejected.

(Madhuresh Prasad, J)

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