

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30054 of 2020

Arising Out of PS. Case No.-144 Year-2020 Thana- GORAUL District- Vaishali

SHUSHIL KUMAR @ RAJA PRASAD Son of Shiv Jee Rai Resident of
Village- Piroi, Police Station- Goraul, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Madanjeet Kumar
For the Opposite Party/s	:	Mr. Damodar Prasad Tiwary
For the informant	:	Mr. Shakil Ahmad Khan

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 08-01-2021 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State, through video
conferencing.

The petitioner seeks regular bail in connection with
Goraul Police Station Case No. 144 of 2020, registered for the
offences punishable under Sections 147/148/149/302/447/448/
342/323/324 of the Indian Penal Code.

The allegation, as per the First Information Report, is
that the petitioner along with other co-accused persons assaulted
the son of the informant by means of lathi and danda, due to
which he died.

Learned Counsel for the petitioner submits that the
petitioner has falsely been implicated in this case due to land
dispute between the parties. He further submits that altogether



10 persons named and 12 unknown persons have been made accused in this case and from perusal of the First Information Report, it would be evident that the petitioner has assaulted the son of the informant on his neck by means of lathi. He further submits that in the *post mortem* examination report, no injury has been found on the neck of the deceased.

On the other hand, learned Additional Public Prosecutor as well as learned Counsel for the informant vehemently oppose the prayer for bail and submit that there is allegation of assault against the petitioner along with other co-accused persons, due to which the son of the informant died.

Having heard learned Counsel for the parties and taking into consideration the materials on record and the nature of allegation levelled in the First Information Report, I am not inclined to grant regular bail to the petitioner, at this stage.

This application is, accordingly, dismissed.

However, the petitioner may renew his prayer for bail after six months from today, if the trial does not show any progress.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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