

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32210 of 2020

Arising Out of PS. Case No.-86 Year-2019 Thana- MANPUR District- Nalanda

Pankaj Kumar @ Fuchchu, aged about 48 years, Son of Late Surendra Lal,
Resident of Village- Hargawan, P.S.- Manpur, District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar Sinha, Advocate
For the State : Mr. Md. Arif, APP

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date : 05-01-2021

Heard Mr. Pramod Kumar Sinha, learned counsel for the petitioner and Mr. Md. Arif, learned Additional Public Prosecutor (hereinafter referred to as the 'APP') for the State.

2. The petitioner is in custody in connection with S. Tr. No. 460 of 2019 arising out of Manpur PS Case No. 86 of 2019 dated 07.05.2019, instituted under Sections 302/504/506/34 of the Indian Penal Code.

3. This is the second attempt for bail by the petitioner as earlier such prayer was rejected by Hon'ble Mr. Justice Vinod Kumar Sinha (as he then was) on 04.02.2020 in Cr. Misc. No. 67585 of 2019.

4. The allegation against the petitioner and others is that they assaulted the brother of the informant and specific against



the petitioner is that he assaulted the victim by means of *baraitha* on the head and other parts of the body causing serious injury which led to his death.

5. Learned counsel for the petitioner submitted that there was altercation between the parties due to which the occurrence took place on the spur of the moment. It was further submitted that the petitioner having no criminal antecedent is in custody since 29.05.2019.

6. Learned APP submitted that the post mortem reveals multiple injuries on the head and other parts of the body and the prosecution story is fully corroborated by the same. It was further submitted that the multiple blows clearly show that the intention was to kill the deceased.

7. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, the Court is not inclined to grant bail to the petitioner.

8. Accordingly, the application stands dismissed.

9. However, the Court below shall take steps to expedite the trial.

(Ahsanuddin Amanullah, J)

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