

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35456 of 2020

Arising Out of PS. Case No.-66 Year-2020 Thana- DHANAHA District- West Champaran

GOVIND KUSHWAHA Son of Shri Madan Kushwaha Resident of Village-
Sahaj Tola Barwa, P.S.- Dhanaha, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Thakur, Advocate
For the informant	:	Mr. Anand Kishore Choudhary, Advocate
For the State	:	Mr. R.B. Roy 'Raman', A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 03-02-2021 Heard Mr. Ajay Kumar Thakur, learned counsel for the petitioner, Mr. Anand Kishore Choudhary, learned counsel for the informant and Mr. R.B. Roy 'Raman', learned Additional Public Prosecutor appearing for the State.

Petitioner seeks regular bail in connection with Dhanaha P.S. Case No. 66 of 2020 registered for the offences punishable under Sections 341, 323, 324, 307, 302, 504 and 120(B)/34 of the Indian Penal Code 1860.

The allegation as per the First Information Report is that the petitioner along with other co-accused persons, ten in number, assaulted the informant and his son, due to which, the son of the informant died.

Learned counsel for the petitioner submits that the



petitioner has falsely been implicated in this case due to village politics and there is case and counter case between the parties inasmuch as Dhanaha P.S. Case No. 64 of 2020 has been lodged against the prosecution party. Learned counsel further submits that the allegation against the petitioner and other co-accused persons are general and omnibus in nature and the injuries caused to the deceased are only four in number. Learned counsel also submits that the petitioner is in custody since 22.03.2020.

On the other hand, learned counsel for the informant and the State vehemently opposed the prayer for bail and submits that from perusal of the First Information Report it would be evident that there is specific allegation against the petitioner that he along with two other co-accused persons assaulted the son of the informant on his head by means of *lathi* and spear. The injury report suggests that the deceased had sustained injury caused by hard and blunt substance and altogether four injuries have been found on the person of the deceased.

Having regard to the submissions made by the parties and taking into consideration the materials on record as well as nature of allegation, I am not inclined to grant regular bail to the petitioner at this stage.



Accordingly, the prayer for bail of the petitioner stands rejected.

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

(Anil Kumar Sinha, J)

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