

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3917 of 2021

Arising Out of PS. Case No.-202 Year-2020 Thana- BELDOUR District- Khagaria

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AMIT KUMAR Son of Laddu Lal Singh Resident of Village - Basanwara,
P.S.- Alamnagar, Distt.- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pawan Kumar, Advocate.

For the Opposite Party/s : Mr. B.N. Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 03-06-2021 Heard learned counsel for the petitioner and learned
APP for the State through virtual Court proceedings.

The petitioner seeks bail in a case registered for the
offence punishable under Section 302 of the Indian Penal Code.

The petitioner is said to have assaulted the mother
of the informant by means of ‘Dabiya’ due to which she died at
the spot.

It is submitted by learned counsel for the petitioner
that no such occurrence as alleged ever took place. He is quite
innocent and has been falsely implicated in this case due to dirty
village politics. No incriminating article has been recovered
from his conscious physical possession. As a matter of fact, the
petitioner is living in his ‘Nanihal’ and there is old enmity
between the maternal uncle of the petitioner and the informant



due to which the petitioner has been falsely implicated in this case. The charge-sheet has been submitted in this case. The petitioner has no criminal antecedent and has been languishing in custody since 28.07.2020.

Mr. B.N. Pandey, learned APP for the State vehemently opposing the bail petition submitted that there is specific allegation of assault against the petitioner due to which the mother of the informant died at the spot. He further submitted that witnesses in the case diary have also supported the prosecution case. Hence, the petitioner does not deserve bail.

In the facts and circumstances of the case and after perusing the case diary, I am not inclined to enlarge the petitioner on bail. The prayer for bail is hereby rejected. However, the learned Trial Court is directed to expedite the trial.

(Anjani Kumar Sharan, J)

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