

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3039 of 2021

Arising Out of PS. Case No.-5 Year-2020 Thana- DIDARGANJ District- Patna

Rohan Singh, Aged 58 years (The age being given is as per Aadhar Card and Voter list, however the petitioner originally is much older and in the Aadhar card and voter list, wrong age has been mentioned), S/o Late Jagmohan Singh, R/o village- Khaspur, P.S.- Didarganj, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Ajay Thakur Ms. Vaishnavi Singh
For the Opposite Party/s :		Mr. Ram Naresh Rai,APP Mr. Brij Bihari Tiwary

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3. 16-06-2021 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in Didarganj P.S. Case No. 05 of 2020, registered for the offence under Section 307 & other allied sections of the Indian Penal Code and later on, Section 302 of the I.P.C. was also added.

As per the prosecution case, the petitioner is one of the assailants of the deceased.

It is submitted on behalf of petitioner that due to dispute over passage (way), some scuffle took place between the parties. Both sides sustained injury. There is case and counter case. It is further submitted that as per F.I.R., this petitioner



alongwith four other accused persons are alleged to have assaulted the deceased by *lathi, danda*, rod, stone etc. however; in the post-mortem report, there is only one injury on head. Petitioner is in custody since 03.05.2020.

However, learned counsel for the informant has opposed the bail petition and submitted that this petitioner alongwith other four accused persons mercilessly assaulted the deceased, as a result of which, he sustained multiple injuries and during course of treatment, he died. In support of his submission, he has referred to several paragraphs of the case diary as well as *post-mortem* report.

Considering the aforesaid facts & circumstances and the fact that there is specific allegation against this petitioner, the bail petition of petitioner stands dismissed.

(Prabhat Kumar Singh, J.)

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