

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4356 of 2021

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

Rajeshwar Singh age 62 years, gender Male, Son of Late Jagmohan Singh
Resident of Village- Khaspur, P.S.- Didarganj, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Ajay Thakur, Adv. Mr. Udbhav, Adv.
For the State	:	Mr. Uday Chand Prasad, A.P.P.
For the Informant	:	Mr. Brij Bihari Tiwary, Adv.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3. 21-06-2021 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 other accused persons are alleged to have assaulted



the deceased by *lathi*, *danda*, rod, brick-stone, however; in the *post-mortem* report, there is only one injury on head of the deceased. Petitioner is in custody since 03.05.2020.

However, learned counsel for the State and informant have vehemently 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.

Considering the rival submissions of the parties, material available on record and the fact that petitioner is one of the assailants of the deceased, the bail petition of petitioner stands dismissed.

(Prabhat Kumar Singh, J.)

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