

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5906 of 2021

Arising Out of PS. Case No.-82 Year-2020 Thana- PATORI District- Samastipur

1. Guddu Das @ Guddu Kumar, Son of Dahaur Das, Resident of Village - Rasalpur, O.P. Mohanpur, P.S.- Patory, Distt.- Samastipur.
2. Sonu Kumar, Son of Chhedi Das @ Gagan Das, Resident of Village - Harprasad, P.S.- Jandaha, Distt.- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Pradeep Narain Kumar, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 22-07-2021 The matter has been taken up today for consideration through video conferencing.

The learned counsels are appearing and making submissions from their residence. The Court Master and Secretary are also part of this virtual Court proceedings from their homes, all with the aid of audio visual technology.

Heard learned counsel for the petitioners and the learned APP for the State.

The petitioners seek bail in connection with Patori P.S. Case No.82 of 2020 registered for the offence punishable under Section 302/34 of the Indian Penal Code, pending in the court of learned Additional Chief Judicial Magistrate-II,



Samastipur.

The informant has alleged that when she came to her house, her father-in-law informed her about being beaten by accused persons, including the petitioners.

It is submitted by the petitioners' counsel that in fact, a scuffle had taken place. The informant's father-in-law had frail health and therefore he had suffered in the scuffle. Son of the informant is responsible for the injury sustained by the informant's father-in-law. However, to divert the attention, the petitioners, who are the next door neighbours, have also been implicated. Petitioner Nos.1 and 2 are in jail custody since 17.06.2020 and 03.07.2020 respectively.

Learned APP for the State has opposed the prayer for bail. He submits that the deceased before dying has stated the involvement of the petitioners. The fact that the informant has made the petitioners co-accused with her own son is indicative of the fact that the allegations are very grave in nature. The petitioners therefore are not entitled for grant of bail.

Considering the rival submissions, at this stage, this Court is not inclined to allow the petitioner's prayer for bail. The same is rejected.

This Court would expect that the petitioners' counsel



would honour his undertaking in the instant proceedings regarding supply of the requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

(Madhuresh Prasad, J)

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