

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2438 of 2022

Arising Out of PS. Case No.-75 Year-2021 Thana- PANDARAK District- Patna

NITISH KUMAR Son of Arjun Yadav Resident of Village- Govasa
Shekhpura, P.S.- Pandarak, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Prem Ranjan Kumar
For the Opposite Party/s :	Mr.Jagdhar Prasad
	Mr. Manoranjan Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 05-05-2022 Heard learned counsel for the petitioner, the State
and the informant.

Petitioner seeks regular bail in a case registered for
the offence punishable under Section 302/34 and some other
ancillary Sections of the Indian Penal Code.

As per the prosecution case, on 19.07.2021 at about 6
AM while the brother of informant was working in his field,
this petitioner along with two other FIR named accused persons,
armed with weapons, badly assaulted the brother of informant as
a result of which he died.

Learned counsel appearing for the petitioner submits
that petitioner is innocent and has falsely been implicated in the
case. It is submitted that though there is specific allegation of



piercing the edge of Khanti but no piercing wound has been found on the body of the deceased. Post mortem report does not corroborate the allegation made in the FIR. Petitioner is in custody since 23.07.2021 and investigation in this case is complete.

Learned counsel appearing for the State and the informant opposed the prayer for bail and submitted that there is specific allegation of assault against this petitioner and doctor has found four injuries on the body of deceased. Petitioner has got criminal antecedent and charge has already framed in this case and one prosecution witness has also been examined.

Considering the nature of accusation, gravity of the offence and progress of the trial, I am not inclined to enlarge the petitioner on bail. Accordingly, the same is rejected.

(Prabhat Kumar Singh, J)

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