

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9057 of 2022

Arising Out of PS. Case No.-65 Year-2019 Thana- BELCHHI District- Patna

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FAGU PASWAN Son of Gulab Paswan Resident of Village - Belchi, P .S. -
Belchi, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Manoj Kumar Pandey, Advocate
For the informant	:	Mr. Nawaz Shareef, Advocate
For the State	:	Mr. Abhay Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 20-04-2022 Heard learned counsel for the petitioner and

learned Additional Public Prosecutor appearing for the State

through video conferencing.

Petitioner seeks regular bail in connection with
Sessions Trial No. 447/2021 arising out of Belchi P.S. Case
No. 65 of 2019 registered for the offences punishable under
Sections 147, 148, 149, 341, 323, 325, 307, 302, 379 and
504 of the Indian Penal Code.

This is second attempt for grant of regular bail on
behalf of the petitioner inasmuch as earlier the bail
application of the petitioner was rejected by this Court vide
order dated 25.3.2021 passed in Cr. Misc. 40076 of 2020



with liberty to renew his prayer for grant of regular bail after nine months.

The allegation as per the First Information Report is that the petitioner assaulted the father-in-law of the informant by means of iron rod on his head along with co-accused Dillu Paswan who allegedly assaulted by means of *Khanti*.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case and from perusal of the First Information Report it would be evident that other co-accused person also assaulted the deceased.

On the other hand, learned counsel for the informant and State submit that there is specific allegation of assault on the head of the deceased upon the petitioner and he is main assailant. The Doctor has opined the cause of death as head injury due to hard and blunt substance.

In view of the fact that the petitioner is main assailant and from perusal of the report called from the learned court below it appears that the trial is likely to be concluded within a year, I am not inclined to grant regular bail to the petitioner.



Accordingly, the prayer for bail of the petitioner stands rejected.

However, the petitioner is given liberty to renew his prayer for bail after one year if the trial does not show any progress.

(Anil Kumar Sinha, J)

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