

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6514 of 2022

Arising Out of PS. Case No.-347 Year-2021 Thana- SAUR BAZAR District- Saharsa

Siya Sharan Sah @ Siyacharan Sah Son of Late Parmeshwari Sah Resident of
Village - Bhaddi Ward No.16, P.s.- Saur Bazar, (O.P.- Patarghat), Distt.-
Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Amarnath Jha
For the Informant	:	Ms. Kanchan Jha
		Mr. Madha Jha
For the Opposite Party/s :		Mr.Syed Mojibur Rahman

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 19-05-2022 Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner seeks bail in Saur Bazar (Patarghat OP)
P.S. Case No. 347 of 2021, registered for the offence punishable
under Sections 307 and other allied sections of the Indian Penal
Code. Later on, section 302 IPC was added.

As per the prosecution case, this petitioner along with
other FIR named accused persons brutally assaulted the son of
informant, as a result of which he died.

It is submitted on behalf of the petitioner that there is
general and omnibus allegation of assault. Moreover, the
occurrence took place on 02.07.2021, but the FIR was lodged on



15.07.2021 there is delay of 12 days for which no plausible explanation has been given. Petitioner is in custody since 21.07.2021 having no criminal antecedent.

Counsel for informant however, vehemently opposed the prayer for bail and submitted that there is specific and direct allegation of assault against this petitioner and three FIR named accused persons, as a result of which the son of informant sustained multiple injuries causing his death and this fact is also supported by the postmortem report.

Considering the facts aforesaid and the nature of allegation, I am not inclined to enlarge the petitioner above-named on bail. Accordingly, the same is rejected.

(Prabhat Kumar Singh, J)

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