

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.6300 of 2022**

Arising Out of PS. Case No.-79 Year-2021 Thana- BEGUSARAI MUFFASIL District-  
Begusarai

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HARERAM RAJAK Son of Late Saryug Rajak Resident of Village -  
Rachiyahi, Dhobi Tole, Ward No.7, P.s.- Muffassil, (Singhaul), Distt.-  
Begusarai.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Ram Sumiran Rai, Advocate

For the Opposite Party/s : Mr. Anil Kumar Singh No.1, APP

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA**  
**ORAL ORDER**

4      29-09-2022                      Heard learned counsel appearing on behalf of the  
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period  
of four weeks from today.

Supplementary Affidavit on behalf of the petitioner  
has been filed before this Court, during course of day and same  
is taken on record.

The petitioner seeks bail in connection with Mufassil  
(Singhaul OP) P.S. Case No. 79 of 2021 registered for the  
offence under Sections 147, 148, 149, 341, 323, 504, 307, 325,  
337, 338, 379 and 302 of the Indian Penal Code.

The accused/petitioner is named in the F.I.R. and is in  
custody since 07.02.2021



The allegation against the petitioner is to commit murder of the father of informant, by making an assault with iron rod along with other co-accused persons, in the background of long standing land disputes.

Learned counsel appearing on behalf of the petitioner submitted that occurrence is nothing but free fight in nature, as such, it cannot be said that this petitioner was under intention to cause death. It is further submitted that both the parties have received injury and for same set of occurrence, a counter case was also lodged by wife of this petitioner, which was registered as Mufassil (Singhaul OP) P.S. Case No. 79 of 2021. While concluding the argument, it is submitted that petitioner is a man of clean antecedent and moreover, investigation of this case has been completed, for which, charge-sheet has already been submitted, as such, there is no chance of tampering with the evidence.

Learned APP, while opposing the prayer of bail, submitted that allegation of fatal assault appears specific against this petitioner, which is in full corroboration with injury as noticed while conducting post-mortem, where, death was caused due to “**Haemorrhagic and Neurogenic shock**” and found skull fractures.



In view of the submissions, as made above, as allegation of fatal assault is available against this petitioner, which is in full corroboration with post-mortem, this Court is not inclined to grant bail to the petitioner, at present.

Accordingly, the prayer of bail of the petitioner is rejected herewith.

Trial Court is directed to proceed with the matter, by taking it on board, on daily basis, so as trial may conclude within 09 (nine) months from the date of receipt of a copy of this order.

Superintendent of Police, Begusarai, is directed to produced the charge-sheeted witnesses, as and when directed by the learned Trial Court, for expeditious disposal of trial, within specified time, as directed above.

**(Chandra Shekhar Jha, J)**

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