

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18428 of 2021

Arising Out of PS. Case No.-47 Year-2020 Thana- MANSAHI District- Katihar

NIRANJAN PASWAN @ CHAMRU PASWAN S/O BASUDEO PASWAN
R/O VILLAGE- SAHJA, P.S MANSAHI DISTRICT- KATIHAR, BIHAR
842004

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ansul, Advocate Mr. Vishal Vikram Rana, Advocate
For the Opposite Party/s	:	Mr. Ajit Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

6 11-01-2022 Heard the parties through video conferencing.

Heard learned counsel appearing on behalf of the
petitioner and learned APP appearing on behalf of the State.

Let the defect(s) be removed within two weeks of the
complete start of the physical Court in normal course.

Petitioner who is in custody since 26.05.2020 seeks
regular bail in connection with Mansahi P.S. Case No. 47 of 2020
registered for offence punishable under Section 302, 307 and 338
of the Indian Penal Code.

Prosecution case in brief is that in the evening of
24.05.2020 when the informant and his assistants were engaged in
the work of Nal-Jal Yojana, in the meantime, the petitioner came
and assaulted the informant by means of brick stone and,
thereafter, he thrown a brick stone on the head of the deceased Ali



Hasan.

Learned counsel appearing on behalf of the petitioner submits that from the perusal of the F.I.R. it appears that there is complete absence of any intent at the best it can be said that the petitioner has started bricks pelting due to spur of the moment and due to which one brick stone hit on the head of Ali Hasan(deceased) and he died in course of treatment.

Learned A.P.P. appearing on behalf of the State submits that post-mortem report shows that cause of death is brain hemorrhage showing as a result of injury caused by heavy object.

Considering the above mentioned facts and circumstances of the case as well as material brought on record from which it appears that there is specific allegation against the petitioner, I am not inclined to grant bail to the petitioner at this stage. Accordingly, the present bail application is rejected.

Learned Court below is directed to conclude the trial expeditiously within a period of one year. Petitioner, if so advised, may renew his prayer for bail if no substantial progress takes place in the trial.

(Purnendu Singh, J)

Niraj/-

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