

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10668 of 2022

Arising Out of PS. Case No.-222 Year-2020 Thana- AURAI District- Muzaffarpur

Ganesh Sah, Son of - Late Ramsevak Sah, Resident of Village- Nayagoan,
Tole Usri Besi, P.S. - Aurai, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Ranjan, Advocate

For the Opposite Party/s : Mr.A.G

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 04-07-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Let the defect (s), as pointed out by the office, be removed within a period of four weeks from the date of resumption of physical filing and physical removal of defect.

In the present case, the petitioner seeks bail in connection with Aurai P.S. Case No. 222 of 2020 registered for the alleged offences under Sections 147, 148, 149, 323, 307, 325, 504 and 302 of the Indian Penal Code.

Allegation against the petitioner is that he and other co-accused persons assaulted the husband of the informant and other family members and the petitioner struck the husband of the informant with '*katta*' on his head, causing his death.

The learned counsel for the petitioner submits that due



to land dispute, the alleged occurrence took place. Altogether 12 persons have been named in the FIR, who were armed with deadly weapons and the petitioner alone could not said to have caused the injury which resulted in death of the husband of the informant. Charges have been framed in this case. The co-accused Mahendra Sah has been granted regular bail vide order dated 14.12.2021 passed in Cr. Misc. No. 37886 of 2021. The petitioner is in custody since 15.11.2020.

Learned APP opposes the prayer for bail of the petitioner submitting that there is specific allegation against the petitioner of causing the injury which resulted in death of the husband of the informant. It is a case of double murder and one Raj Kumar Sah has also been murdered by the petitioner and other co-accused. The case of the petitioner is not on the same footing with co-accused Mahendra Sah, who has been granted bail as there was no allegation against the co-accused that he caused any such injury, which resulted in death of either of the deceased persons.

Having regard to the submissions made hereinabove and considering the fact that there is specific allegation against this petitioner for causing injury which in all likelihood resulted in death of the husband of the informant. I am not inclined to



enlarge the petitioner on bail.

Accordingly, his prayer for bail is rejected.

Learned trial court is directed to conclude the trial expeditiously preferably within a period of one year.

However, if trial is not concluded within one year, the petitioner may renew his prayer for bail.

(Arun Kumar Jha, J)

V.K.Pandey/-

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