

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.13579 of 2022**

Arising Out of PS. Case No.-56 Year-2021 Thana- SIMULTALLA District- Jamui

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TRIPURARI KUMAR S/o Umesh Mahto R/o village- Gadi Telwa, P.S.-  
Simultala, District- Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Satya Prakash Parasar

For the Opposite Party/s : Mr.Suresh Pd. Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH**  
**ORAL ORDER**

2      11-07-2022                      The learned counsel for the petitioner is directed to  
  
remove all the defects pointed out by the Stamp Reporter within  
  
one month.

Heard learned counsel for the petitioner and the State.

Petitioner seeks regular bail in Simultala P.S. Case 56  
of 2021 registered for the offence punishable under Sections  
147, 149, 302, 120B of the Indian Penal Code.

The allegation against the petitioner is that accused  
persons attacked the informant and his family members and they  
assaulted informant's father by means of **lathi** and **Tangi**,  
petitioner is alleged to have assaulted the father of the informant  
by means of *lathi* and further he assaulted one person namely,  
Vikash by means of Tangi who intervened to save informant's  
father.



The main submissions advanced by the learned counsel for the petitioner are that petitioner has been languishing in jail since 10.8.2021, he is not alleged to have used sharp weapon in assaulting the deceased. Admittedly, land dispute is running between the prosecution party and other accused persons of which petitioner had no connection nor he belongs to the family of other accused persons. In fact, petitioner participated in a panchyat meeting in connection with said land dispute between co-accused persons and the prosecution party due to said participation, petitioner has been falsely roped in this case. Further submission is that similar nature of occurrence like the present case was committed against the petitioner and other persons by the prosecution party of this case regarding which Simultala P.S. Case 36 of 2019 was lodged in which accused persons were granted bail.

Learned APP opposes the prayer for bail.

Heard both sides and perused the FIR. Present case relates to murder. As per FIR, the alleged occurrence is said to have been committed in a planned manner and petitioner's specific role in the alleged crime has been mentioned in the FIR and he not only assaulted the deceased but also assaulted other persons.



Considering the nature of the allegation appearing against the petitioner, in my view, he does not deserve privilege of bail and accordingly, his prayer for bail is rejected.

Petitioner may renew his prayer for bail after examination of material prosecution witnesses.

**(Shailendra Singh, J)**

s.hassan/-

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