

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22965 of 2022

Arising Out of PS. Case No.-38 Year-2021 Thana- SIGAUDI District- Patna

Rabindra Paswan @ Ravindra Paswan S/o Khesari Paswan R/o village-
Chikshi, P.S.- Sigori, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Sinha, Advocate.

For the Opposite Party/s : Mr. Mukeshwar Dayal, APP.

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 27-07-2022 Learned counsel for the petitioner is permitted to remove defect(s), as pointed out by the office, if any, within a period of four weeks from today.

Heard Mr. Ashok Kumar Sinha, learned counsel for the petitioner as well as learned Additional Public Prosecutor for the State.

The application for grant of bail to the petitioner, above named, who has been made accused and put behind the bar in connection with Sigori P. S. Case No. 38 of 2021 giving rise to Sessions Trial No. 711 of 2021 registered for the offences punishable under Sections 147, 149, 341, 323, 325, 307, 302, 337, 504 and 506 of the Indian Penal Code.

As per the prosecution case, it is alleged that on 25.03.2021 at about 06:30 P.M., while the nephew of the



informant was sitting at his grocery shop along with one Vikash Kumar, in the meantime, the petitioner came there and on account of some trifling issue, altercation was started. It is further alleged that all the other accused persons came there and on the dictate of co-accused Khesari Paswan, this petitioner went to his house and came with an iron rod and thereafter, this petitioner assaulted the deceased, Kael Paswan, over his head due to which he succumbed to the injuries.

Learned counsel appearing on behalf of the petitioner submitted that though the occurrence was taken place on 25.03.2021 but he present F.I.R. has been instituted on 26.03.2021 after the death of the deceased. It is further submitted that there is allegation that all the accused persons have also assaulted with other weapons and this petitioner is not the sole assailant. It is next submitted that this petitioner is in custody since 27.03.2021 and there is no likelihood of commencement of trial in near future. It is lastly submitted that there is land dispute, which resulted into a free fight.

On the other hand, learned APP for the State opposes the bail application and submits that there is specific allegation against the petitioner and he inflicted iron blow over the head of the deceased causing his death.



Having considered the submissions made on behalf of the parties and taking into account the specific nature of accusation as also the gravity of the offence that this petitioner assaulted the deceased by means of Iron Rod, which ultimately resulted into his death, this court is not persuaded to enlarge the petitioner on bail for present.

Accordingly, the present application stands dismissed.

Fruther, it is expected that the learned trial court will take all the necessary steps to conclude the trial as early as possible, the petitioner is at liberty to renew his prayer for bail after six months.

(Harish Kumar, J)

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