

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34386 of 2021

Arising Out of PS. Case No.-353 Year-2020 Thana- PURNEA SADAR District- Purnia

Satendra Kumar, S/O Jag Jivan Resident Of Village- Aundi, P.S.- Pepna,
District- Balia (Uttar Pradesh)

... .. Petitioner/S

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N. K. Agrawal- Sr. Advocate Mr. Raju Kumar- Advocate Mr. Abhash- Advocate Mr. Pradhan Murli Manohar Prasad- Advocate
For the Opposite Party/s :		Mr. Navin Kumar Pandey- A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 03-01-2022 Heard the learned Advocate for the petitioner and the
learned APP for the State.

The petitioner seeks bail in connection with Sadar P.
S. Case No.353 of 2020, instituted for the offences under
Sections 302, 376, 323, 307 of the Indian Penal Code.

The learned counsel for the petitioner submits that the
petitioner is in custody since 05.10.2020, he is a person with
clean antecedent and charge-sheet has been submitted in this
case.

The learned counsel for the petitioner further submits
that the informant alleges that her husband went to work in the
factory at 1.00 P.M. on 04.10.2020 when this petitioner entered



her house and forcibly raped her in which she got injured on account of continuous banging of the head on the ground. Further on hulla, her husband came on which the petitioner attacked him by sharp edged weapon while trying to flee, causing grievous injury on his left arm and blood started oozing. It is further alleged that the husband was taken to hospital from where he was referred to Silliguri, but he died on the way.

The learned senior counsel for the petitioner submits that from the allegation as alleged in the F.I.R. it appears that this petitioner was known to the informant and the informant in absence of her husband had called him and all of a sudden, the husband came on which the petitioner seeing the husband tried to flee, but the occurrence happened and it appears that the husband was hit with sharp edged weapon on his left arm and the petitioner fled from the place of occurrence after assaulting the husband of the informant.

The learned senior counsel submits that the fact that the husband of the informant was hit on non-vital part of the body that in itself demonstrates that petitioner had no intention to kill him rather it appears that in an attempt to flee, he assaulted the husband of the informant with whatever weapon he could collect from inside the house.



Learned A.P.P. opposes the bail application.

Considering the fact petitioner is alleged to have assaulted the husband of the informant, who died on way to the hospital that in itself shows that injury was grievous in nature, as such, the Court is not inclined to grant bail to the petitioner.

Accordingly, prayer for bail of the petitioner stands rejected for the present.

(Satyavrat Verma, J)

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