

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32638 of 2021

Arising Out of PS. Case No.-114 Year-2021 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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SANTOSH KUMAR Son of Late Laxmi Singh Resident of Village -
Mohanpur, P.S.- Muffasil, Dist.- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Thakur Mr. Shivam
For the Opposite Party/s	:	Mr. Nawal Kishore Prasad
For the informant	:	Mr. Bindhya Keshari Kumar, Sr. Adv. Mr. Ashok Kumar

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

5 09-03-2022 Heard learned Counsel for the petitioner, learned

Senior Counsel for the informant and learned Additional Public

Prosecutor for the State.

The petitioner seeks regular bail in connection with

Mufassil Police Station Case No. 114 of 2021, registered for the

offences punishable under Sections 147/148/149/341/323/324/

448/379/302/427/354 of the Indian Penal Code.

The prosecution case, as per the First Information

Report, is that the petitioner, along with three other accused

persons, assaulted the father of the informant on his head by

means of back side of the bamboo, causing his death.

Learned Counsel for the petitioner submits that both



the parties are neighbours and there is previous land dispute between them. He further submits that there is case and counter case between the parties inasmuch as Mufassil Police Station Case No. 115 of 2021 has been lodged by the side of the petitioner against the informant and others. He further submits that the petitioner is in custody since 23.02.2021.

On the other hand, learned Senior Counsel for the informant submits that similar allegation of assault on the father of the informant has been levelled against four accused persons, out of whom, the bail applications of two similarly situated co-accused persons have been rejected by Bench of this Court and this Court, while rejecting the prayer for bail of the similarly situated co-accused persons, has directed the learned Court below to expedite the trial.

Having heard learned Counsel for the parties and taking into consideration the materials on record and the fact that bail applications of similarly situated co-accused persons have been rejected by co-ordinate Bench of this Court, I am not inclined to grant regular bail to the petitioner, at this stage.

This application is, accordingly, dismissed.

However, the petitioner may renew his prayer for bail after six months from today, if the trial does not show any



progress.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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