

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40140 of 2021

Arising Out of PS. Case No.-268 Year-2020 Thana- JAMUI District- Jamui

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RAMA MANDAL Son of Daso Mandal Resident of village - Manjhbey, P.S. -
Jamui, District - Jamui (Bihar).

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kr Singh No. 1, Adv.

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 21-02-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 307, 147, 149, 323, 324, 337 and 504 of the Indian Penal Code to which section 302 of the Indian Penal Code was added subsequently.

As per the prosecution case, over a trivial dispute relating to grazing of cow, it is stated that the named accused persons including the petitioner herein assaulted the deceased. The petitioner is said to have assaulted with a *farsa* on the head of the deceased.

It is submitted by learned Senior counsel appearing for the petitioner that the petitioner has been falsely implicated in the case. There is case and counter case between the parties,



the case lodged by the petitioner being earlier in time. The petitioner himself suffered grievous injuries. The post-mortem report does not support the allegations levelled in the First Information Report. The petitioner is in custody since 18.12.2020 and has no criminal antecedent. Investigation of the case has concluded. It is further submitted that co-accused namely, Mohan Mandal has been enlarged on bail vide order dated 08.12.2010 passed in Cr. Misc. No. 26711 of 2021 (Annexure-5).

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts of the case and the allegations against the petitioner of having assaulted the deceased on the head with a *farsa*, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

Liberty is granted to the petitioner to renew his prayer for bail after six months provided there is no substantial progress in the trial.

(Partha Sarthy, J)

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