

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43157 of 2021

Arising Out of PS. Case No.-724 Year-2019 Thana- KUDHNI District- Muzaffarpur

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RANA SINGH Son of Rajendra Singh Resident of village Chadhua Tola
Gawasara, P.S. Kudhani, District - Muzaffarpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anuj Kumar

For the Opposite Party/s : Mr.Sanjay Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 27-01-2022 Heard learned counsel for the petitioner and the State.

The matter has been taken up through video
conferencing.

Petitioner seeks regular bail in a case registered for
the offence punishable under Section 302 and some other
ancillary Sections of the Indian Penal Code.

As per the prosecution case, this petitioner along with
co-accused, Vijay Singh, indiscriminately assaulted the husband
of informant with iron rod on his head as a result of which he
died.

Learned counsel appearing for the petitioner submits
that petitioner is innocent and has falsely been implicated in the
case. It is submitted that alleged occurrence took place on
02.11.2019 but the FIR has been lodged on 05.11.2019. It is
further submitted that as a matter of fact the occurrence took



place on a petty dispute with regard to keeping of sand and bricks. It is submitted that though there is allegation that two persons indiscriminately assaulted the deceased but the post mortem report does not corroborate the allegation as only one injury on the head of deceased was found. Petitioner claims clean antecedent and is in custody since 13.01.2021 and investigation in this case is complete.

Learned counsel appearing for the State opposes the prayer for bail and submits that there is direct and specific allegation against this petitioner that he along with co-accused, Vijay Singh, indiscriminately assaulted the husband of informant with iron rod on his head as a result of which he died. Post mortem report also supports the prosecution case as three injuries caused by hard blunt object was found on the person of deceased.

Considering the nature of accusation and gravity of the offence, I am not inclined to enlarge the petitioner on bail. Accordingly, the same is rejected.

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(Prabhat Kumar Singh, J)

