

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45835 of 2021

Arising Out of PS. Case No.-85 Year-2020 Thana- BALUA BAZAR District- Supaul

ANIL DAS Son of Badri Das Resident of Village - Bhagwatpur, Ward No.-
08, P.S.- Chhatapur, District - Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Mishra, Advocate

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

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

7 12-04-2022 Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 302 and 34 of the Indian Penal Code.

As per the prosecution case the petitioner is said to have given a spade blow on the son of the informant leading to his death.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case. The manner of occurrence is other than what has been narrated in the FIR. Even accepting the allegations in the FIR there was no premeditation nor any weapon was being carried by the petitioner. The occurrence took place at the spur of the moment. The petitioner is in custody since 15.12.2020 and has no



criminal antecedent. Charge sheet has been submitted in the case.

The application for bail is opposed by learned APP for the State and learned counsel for the informant. It is submitted by learned counsel for the informant that the petitioner is the assailant of the deceased which is supported from the material that has transpired in course of investigation.

Having heard learned counsel for the parties and taking into consideration the facts of the case specially the petitioner being the assailant of the deceased, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

Learned trial Court is directed to expedite the trial

(Partha Sarthy, J)

Prakash/-

U			
---	--	--	--

