

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46927 of 2021

Arising Out of PS. Case No.-99 Year-2021 Thana- PAKARIBARAW District- Nawada

SHATRUGHN RAVIDAS S/o BADLU RAVIDAS R/o VILLAGE-
DHAMAUL, P.S-PAKRIBARAWAN (DHAMAUL), DISTRICT-NAWADA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Thakur, Adv. Mr. Birendra Kumar, Adv.
For the State	:	Mr. Anil Kumar, APP
For the Informant	:	Mr. Rampravesh Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

5 22-03-2022 Heard learned counsel for the petitioner, learned
A.P.P. for the State and learned counsel for the informant.

The petitioner has preferred this application for grant
of regular bail in a case registered under sections 302, 307 and
other sections of the Indian Penal Code.

As per the prosecution case, the petitioner and his
son are said to have assaulted the father of the informant with an
iron rod on his head leading to serious injuries as a result of
which the father of the informant died in course of treatment.

It is submitted by learned counsel for the petitioner
that from perusal of the F.I.R. itself, it would transpire that the
occurrence took place as a result of sudden quarrel. Even
accepting the allegations, no case under section 302 of the



Indian Penal Code will be made out. Against the allegation of assault by two accused persons, it is submitted that from perusal of the post-mortem report, no external injury has been found instead only haematoma over the scalp has been found. Thus, the occurrence must have taken place in a manner other than what has been described in the F.I.R. The petitioner is in custody since 15.4.2021 and investigation in the case has concluded.

The application for bail is opposed by learned A.P.P. for the State and learned counsel for the informant. It is submitted by learned counsel for the informant that there is direct allegation against the petitioner along with his son of having assaulted the father of the informant with an iron rod on his head which is supported from the post-mortem report.

Having heard learned counsel for the parties and on perusal of the materials on record, it transpires that the allegation against the petitioner and one another is of having assaulted the father of the informant with an iron rod who subsequently died. The post-mortem report shows the fracture of parietal and frontal bone said to have been caused by heavy and hard substance.

In view of the facts of the case, 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)

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