

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38533 of 2022

Arising Out of PS. Case No.-260 Year-2021 Thana- AKBARPUR District- Nawada

Dheeraj Singh, Son of Late Chandar Singh, R/o Village- Jafra, P.S.- Akbarpur,
District- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Choudhary, Advocate
For the Opposite Party/s : Mr. Surendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 11-10-2022 Learned counsel for the petitioner is permitted to remove the defect(s), as pointed out by the office, within a period of four weeks from today.

Heard Mr. Alok Kumar Choudhary, learned counsel for the petitioner as well as learned APP for the State.

The petitioner seeks regular bail, who is in custody in connection with Akbarpur P.S. Case No. 260 of 2021 registered for the offences punishable under Sections 302, 504 of the Indian Penal Code.

As per the prosecution case, it is alleged that on account of some petty dispute, this petitioner assaulted the husband of the informant by means of iron rod, due to which he sustained grievous injuries and during the course of treatment, he died, thereafter this FIR has been instituted.



Learned counsel appearing on behalf of the petitioner submits that from the FIR, it would be evident that the occurrence took place on 12.04.2021 and this FIR has been instituted on 14.04.2021 after the death of the husband of the informant. He next submits that from the tenure of the FIR, it is also evident that both the deceased and the petitioner are own brother-in-law and on account of a petty reason, scuffle has taken place due to which, unfortunately, the deceased has sustained injury over his head though, there is no allegation that any repeated blow has been given. He also submits that in fact the deceased died on account of falling upon the hard substance. He lastly submits that the petitioner is a man of fair antecedent and is in custody since 07.01.2022.

On the other hand learned APP for the State vehemently opposes the bail application and submits that the petitioner is a sole assailant and there is specific allegation against him that he assaulted the deceased by means of iron rod and the post mortem report also corroborates the prosecution case.

Regard being had to the submissions made on behalf of the parties and considering the specific nature of accusation against the petitioner and the gravity of the offence, resulting



into death of the deceased, this Court is not persuaded to enlarge the petitioner on bail. However, it is expected that the learned trial Court will take all endeavor to expedite the trial and conclude the same as early as possible.

Accordingly, the present bail application stands dismissed.

(Harish Kumar, J)

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