

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48170 of 2021

Arising Out of PS. Case No.-71 Year-2020 Thana- TARIYANI CHAPRA PS District-
Sheohar

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RAGHUNANDAN SAHNI Son of Late Jagdeo Sahni Resident of Village -
Rupauli, P.s.- Tariyani Chhapra, Distt.- Sheohar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Devendra Kumar, Adv.

For the Opposite Party/s : Mr. Ram Priya Sharan, APP

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 28-04-2022 Heard Mr. Devendra Kumar, learned counsel for the

petitioner and Mr. Ram Priya Sharan, learned Additional Public

Prosecutor for the State.

Petitioner seeks regular bail in connection with

Tariyani Chapra PS Case No. 71/2020 registered for the offence

punishable under Sections 341, 323, 302/34 of the IPC.

As per First Information Report, the petitioner

assaulted the informant's husband by means of Dabia on his

head along with co-accused, who assaulted in the backside of

head of the deceased by means of bamboo reeds.

Learned counsel for the petitioner submits that the

petitioner has not committed any offence in the manner alleged

and he has falsely been implicated in this case due to land

dispute between the parties. He further submits that two persons

have allegedly assaulted the deceased and the death of the

deceased has been caused due to assault made by co-accused,

Sattar Nat on the backside of the head of the deceased.



On the other hand, learned counsel for the State, referring to the postmortem report, submits that the doctor has found injury on the front side scalp i.e., front portion of the head and cause of death has been opined due to hard and blunt substance. He next submits that *Dabia* can be used in both manner inasmuch as if it is used from its front side, it will cause sharp cut injury and if it is used from its backside, it will cause hard and blunt injury.

Regards being had to the submissions made by the parties and taking into consideration the material on record and the fact that the petitioner is the main assailant, he is named in the FIR and specific allegation has been levelled against him, I am not inclined to grant regular bail to the petitioner at this stage. Accordingly, the prayer for bail of the petitioner stands dismissed.

However, if so advised, the petitioner may renew his prayer for bail after one year from today, if the trial does not record any substantial progress.

(Anil Kumar Sinha, J)

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