

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43771 of 2022

Arising Out of PS. Case No.-186 Year-2021 Thana- SIKTI District- Araria

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Pramod Bahardar Son of - Bijju Bahardar Resident of Village - Tira Khurdah
Ward No. - 03, P.S. Sikty, District - Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Ziaul Quamar, Adv.

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

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 25-11-2022 Video Conferencing.

The learned counsel for the petitioner is directed to remove all the defects pointed out by the Stamp Reporter within one month.

Heard learned counsel for the petitioner and the learned APP for the State through virtual mode.

Petitioner seeks regular bail in connection with Sikti P.S. Case No. 186 of 2021 registered for the offences punishable under Sections 147, 149, 341, 323, 324, 307, 504, 506, 379, and 509 of the Indian Penal Code.

As per the prosecution, the informant has alleged that this petitioner along with other co-accused persons assaulted the informant and his family members. Further it is alleged that this petitioner assaulted the informant's mother by means of Dabiya



at her head and the accused persons also snatched some cash and jewelleryes.

The main submissions advanced by the learned counsel Mr. Md. Ziaul Quamar appearing for the petitioner are that the FIR of the instant matter was lodged two days after the alleged occurrence, the petitioner has clean antecedent and in between both the parties a land dispute is running and they live in the same courtyard and on the alleged date and time of the occurrence a dispute occurred due to flowing of water which resulted in *Mar-Pit* in between them and a person from the petitioner's side also sustained injuries. Further submission is that there is a case and counter-case in between both the parties and the petitioner has been languishing in jail since 08.05.2022.

Learned APP Mr. Arun Kumar Pandey appearing for the State has opposed the prayer for bail.

Heard both the sides and perused the FIR and the injury report of the injured Vinia Devi filed as Annexure-3. Against the petitioner there is a specific allegation of having assaulted at the head of the informant's mother by means of Dabiya and the said allegation gets corroboration from the injury report of the said injured and one injury found on the occipital region of the said injured which was specifically



alleged to have been caused by this petitioner has been opined to be grievous in nature. Considering the nature of the allegation appearing against the petitioner, in the opinion of this Court the petitioner does not deserve to the privilege of bail. Accordingly, his prayer for bail stands rejected.

The petitioner may renew his bail prayer after framing of charge.

(Shailendra Singh, J)

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