

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52013 of 2021

Arising Out of PS. Case No.-724 Year-2019 Thana- KUDHNI District- Muzaffarpur

VIJAY SINGH @ GHANSHYAM SINGH Son of Rajendra Singh Resident of
Village- Chadhua Tola Gawasara, P.S.- Kudhani, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anuj Kumar

For the Opposite Party/s : Mr.Mukeshwar Dayal

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 27-01-2022 Heard learned counsel for the petitioner and the State.

The matter has been taken up through video conferencing.

Petitioner seeks regular bail in a case registered for the offence punishable under Section 302 and some other ancillary Sections of the Indian Penal Code.

As per the prosecution case, this petitioner along with co-accused, Rana Singh, indiscriminately assaulted the husband of informant with iron rod on his head as a result of which he died.

Learned counsel appearing for the petitioner submits that petitioner is innocent and has falsely been implicated in the case. It is submitted that alleged occurrence took place on 02.11.2019 but the FIR has been lodged on 05.11.2019. It is further submitted that as a matter of fact the occurrence took



place on a petty dispute with regard to keeping of sand and bricks. It is submitted that though there is allegation that two persons indiscriminately assaulted the deceased but the post mortem report does not corroborate the allegation as only one injury on the head of deceased was found. Petitioner claims clean antecedent and is in custody since 13.01.2021 and investigation in this case is complete.

Learned counsel appearing for the State opposes the prayer for bail and submits that there is direct and specific allegation against this petitioner that he along with co-accused, Rana Singh, indiscriminately assaulted the husband of informant with iron rod on his head as a result of which he died. Post mortem report also supports the prosecution case as three injuries caused by hard blunt object was found on the person of deceased.

Considering the nature of accusation and gravity of the offence, I am not inclined to enlarge the petitioner on bail. Accordingly, the same is rejected.

(Prabhat Kumar Singh, J)

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