

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50964 of 2021

Arising Out of PS. Case No.-166 Year-2019 Thana- LALGANJ District- Vaishali

CHANDAN RAI @ CHANDAN KUMAR Son of Naval Ray Resident of
Village- Sararia, P.S.- Lalganj, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Bela Singh, Adv.

For the Opposite Party/s : Mr. Md. Aslam Ansari, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 09-05-2022 Heard Ms. Bela Singh, learned counsel for the
petitioner and Mr. Md. Aslam Ansari, learned Additional Public
Prosecutor for the State.

Petitioner seeks regular bail in connection with
Lalganj PS Case No. 166/2019 registered for the offence
punishable under Sections 302/34 of the IPC.

Petitioner along with other accused persons alleged to
have assaulted the informant's husband by means of sharp
weapon and iron rod on his head, due to which, he died.

Learned counsel for the petitioner submits that
petitioner has falsely been implicated in this case and the co-
accused, Sujit Kumar happens to be son of the deceased and
there was some family dispute between them. She next submits
that the petitioner was not present at the place of occurrence and
he has been remanded in this case from another case.



On the other hand, learned counsel for the State referring to the case diary and postmortem report, submits that multiple injuries have been found on the skull of the deceased and in the opinion of the doctor the deceased died due to multiple injuries caused by sharp and heavy weapon on his head. Learned counsel next submits that there is specific allegation against the petitioner in the FIR that he assaulted the deceased by means of iron rod. The petitioner has got criminal antecedents inasmuch as six cases of serious nature of offence are registered against him.

Regards being had to the submissions made by the parties and taking into consideration the fact that there is specific allegation against the petitioner in the FIR that he assaulted the deceased by means of iron rod and the doctor has opined the cause of death due to sharp and heavy weapon, I am not inclined to grant regular bail to the petitioner. Accordingly, prayer for bail of the petitioner stands dismissed.

Let the trial be expedited.

(Anil Kumar Sinha, J)

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