

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42629 of 2022

Arising Out of PS. Case No.-586 Year-2020 Thana- MASHRAK District- Saran

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Dhananjay Kumar @ Munna Singh @ Dhananjay Singh Son of Late Sharbjit Singh Resident of Village - Jajauli, Police Station- Mashrakh, District - Saran.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Ranjan, Adv.

For the Opposite Party/s : Mr. Zainul Abedin, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 21-12-2022 Let the defect(s), if any, be removed within two weeks from today.

Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner seeks regular bail in connection with Mashrakh P.S. Case No. 586 of 2020 lodged under Sections 341, 323, 307, 379, 448, 504, 506/34 and 302 of the I.P.C.

As per the prosecution case, the allegation against the present petitioner is that on 19.10.2020 at about 9 AM morning, when informant was preparing breakfast in the house then the present petitioner has entered in the house and started snatching Rs. 3 lac which was kept for sale of land. The informant's husband started opposing on which the informant has attacked by iron rod on his head, bleeding started. When his son was

reached there then, the petitioner has also assaulted on head of the informant's son. The allegation of snatching gold chain is also there in the F.I.R.

Learned counsel for the petitioner submits that petitioner and informant both belongs to same village and they are agnates. There is long pending land dispute going on between them. Learned counsel submits that antecedent of the petitioner is clean and he is in custody since 30.04.2022. He further submits that the injury to the informant's husband is due to accident and not by the assault made by the petitioner. Learned counsel further submits that he has been falsely implicated in the present case. Upon getting knowledge, he himself surrendered in the court. He further submits that the other co-accused has been granted anticipatory bail by the Co-ordinate Bench of this Court.

Learned counsel for the State opposes the prayer for bail and submits that the allegation is there against the petitioner to assault the head of the informant.

Learned counsel for the informant vehemently opposes the prayer for bail and submits that there is direct allegation against the present petitioner. Upon specific query whether charge has been framed or not, both learned counsels

submit that till date charge has not been framed.

In the present facts and circumstances of this case and the submissions made above, I am not inclined to grant bail to the petitioner. Therefore, the bail application of the petitioner is hereby rejected but liberty is hereby granted to the petitioner that he may renew his prayer for bail 2 months after framing of charge. In the meantime, the Court is directed to expedite the trial. Upon move for bail, the Trial Court is directed to release him imposing conditions so that he may not evade his appearance during trial.

With this observation, the bail application stands rejected.

(Dr. Anshuman, J.)

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