

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53271 of 2021

Arising Out of PS. Case No.-228 Year-2021 Thana- AMARPUR District- Banka

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Gagan Mandal Son of Kameshwar Mandal R/O Village- Kathouni, P.S.-
Kajraili, Dist.- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ranjan Kumar Jha, Adv.

For the Opposite Party/s : Mr.Md. Ataur Rahman, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 05-04-2022 Heard the parties.

This FIR arises out of Amarpur P.S. Case No.228 of
2021 lodged on 17.05.2021 under Section 302 of the Indian
Penal Code.

There is direct allegation against the petitioner that
when the informant's son was serving food at a feast, the
petitioner herein came, threw him on the ground and hit him on
his head by a brick as a result whereof the injured boy became
unconscious, was rushed to the hospital and was declared dead.

Learned counsel for the petitioner submits that this
case does not come within the purview of 302 of the Penal Code
and as such he deserves bail.

In view of the aforesaid allegation in which direct
allegation has been made against him, this Court is not inclined



to grant the privilege of bail to the petitioner, which is accordingly rejected.

(Rajiv Roy, J)

Prakash Narayan /-

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