

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62788 of 2021**

Arising Out of PS. Case No.-196 Year-2020 Thana- KUDRA District- Kaimur (Bhabua)

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1. SURESH RAI Rai, son of Ramayan Rai,
2 Tuntun Rai @ Tuntun Rai, son of Ramayan Rai,
Both resident of village- Bhatauli, P.S.-Kudra, District-Kaimur at Bhabua.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajani Kant Pandey

For the Opposite Party/s : Mr.Gauri Shankar Gupta

**CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER**

3 27-09-2022 Let the defect(s), as pointed out by the office, be
removed within a period of four weeks from today.

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

The petitioners seek bail in connection with Kudra
P.S. Case 196/2020, registered for the offence punishable under
Sections 147/149/341/323/324/325/307/354/504 and later on
added 302 of the Indian Penal Code.

As per prosecution case, petitioner no.1 assaulted
Shankar Singh by means of lathi and petitioner no.2 assaulted
Shankar Singh by means of Garasa on the head.

Learned counsel for the petitioners submits that
petitioners are innocent and have falsely been implicated in this



case. The petitioners are languishing in custody since 27.08.2021. The petitioner no.1 bears criminal antecedent of one case. The petitioner no.2 bears no criminal antecedent.

The learned A.P.P. for the State vehemently opposed the prayer for bail of the petitioners submitting that there is specific allegation against the petitioners and the same is corroborated by the postmortem report.

Considering the facts and circumstances of the case, nature of allegation levelled against the petitioners coupled with postmortem report and the material available on record, I am not inclined to grant bail to the petitioners. Hence, prayer for bail of the petitioners stands rejected.

However, the trial court is directed to expedite the trial as early as possible. If trial is not concluded within six months from the date of receipt / production of copy of this order, the petitioners may renew their prayer for bail.

(Alok Kumar Pandey, J)

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