

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67690 of 2021

Arising Out of PS. Case No.-71 Year-2020 Thana- TARIYANI CHAPRA PS District-
Sheohar

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Satar Nat, Son of Khalil Nat, R/O Village - Rupauli, P.S.- Tariyani Chhapra,
District - Sheohar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amrendra Kumar, Advocate

For the Opposite Party/s : Mr. Anuj Kumar Shrivastava, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 20-09-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Let the defect (s), as pointed out by the office, be removed within a period of four weeks from the date of resumption of physical filing and physical removal of defect.

In the present case, the petitioner seeks bail in connection with Tariyani Chhapra P.S. Case No. 71 of 2020 registered for the alleged offences under Sections 341, 323, 302 and 34 of the Indian Penal Code.

As per prosecution case, the petitioner and other co-accused persons entered into the house of the informant and assaulted the husband of the informant. Co-accused Raghunandan Sahni assaulted the husband of the informant with



Dabiya and this petitioner with bamboo causing fracture of the head of the husband of the informant, who subsequently died after receiving the injuries.

The learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case and no occurrence as alleged has ever taken place. The allegations are general and omnibus and both this petitioner and co-accused are alleged to have caused injuries on the head of the husband of the informant. The petitioner is in custody since 05.03.2021 and charge-sheet has been submitted.

Learned APP opposes the prayer for bail submitting that there is specific allegation against this petitioner that he hit on the head of the husband of the informant with bamboo and there is corresponding injury, which is reflected from the post mortem which shows the lacerated wound on the skull of the deceased and it was caused by hard and blunt substance. Further, death has been caused due to brain injury resulting from the injury on the skull.

Having regard to the submissions made hereinabove and considering the fact that the petitioner is stated to be the author of the injury which caused the death of the husband of the informant, I am not inclined to grant bail to the



petitioner.

Hence, the prayer for bail is rejected.

However, the trial court is directed to expedite the trial and conclude the same preferably within a period of one year.

If the trial is not concluded within a period of one year, then the petitioner may renew his prayer for bail.

(Arun Kumar Jha, J)

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