

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15354 of 2023**

Arising Out of PS. Case No.-99 Year-2021 Thana- PARASBIGHA District- Jehanabad

VIKASH KUMAR Son of Sharwan Sao @ Sravan Saw R/v- Dohiya, P.S.-
Paras Bigha, District- Jehanabad

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anuj Kumar

For the Opposite Party/s : Mr. Uma Shankar Prasad Singh

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

3 23-06-2023 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

The petitioner has prayed for bail in connection with
Paras Bigha P.S. Case No. 99 of 2021 instituted for the offence
under Sections 447, 341, 323, 302, 379, 504/34 of the Indian
Penal Code.

As per allegation in the FIR, when he informant was
at his home meanwhile, the accused persons including the
petitioner came there and starting argue with them. Thereafter,
on order of the co-accused Shrawan kumar, this petitioner gave
an iron rod blow on the head of the Raushan Kumar as a result
of which he died during course of treatment.

Learned counsel for the petitioner submits that the
petitioner is innocent and committed no offence. This petitioner



is nephew of the informant and a land dispute was going on between the parties due to which this petitioner has falsely been made accused in the present case. It is further submitted that there is no allegation of repetition of blow of iron rod by the petitioner. A statement has been made in para-3 of the petition that the petitioner has got no criminal antecedent. Moreover, the petitioner is languishing in judicial custody since 26.7.2021.

Learned APP appearing for the state and learned counsel for the informant have vehemently opposed the prayer of regular bail and submitted that from perusal of F.I.R. as well as case diary, it appears that there is direct allegation against this petitioner who assaulted the informant's son namely, Raushan Kumar by means of iron rod due to which he died. The postmortem report corroborates the prosecution in which it is mentioned that the cause of death is due to head injury caused by hard & blunt substance. It is further submitted that the witnesses of this case have also supported the prosecution.

Having heard the learned counsel for the parties and considering the nature of allegation, this court is not inclined to enlarge the petitioner on bail and, as such, his prayer for bail stands rejected.

The trial Court is directed to expedite the trial and



conclude the same as soon as possible.

(Sunil Kumar Panwar, J)

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