

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12480 of 2022

Arising Out of PS. Case No.-194 Year-2021 Thana- BHELDI District- Saran

JWALA BHAGAT Son of Late Sahdeo Bhagat Resident of Village - Koreya,
P.s.- Bheldi, Distt.- Saran at Chapra.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 22606 of 2022

Arising Out of PS. Case No.-194 Year-2021 Thana- BHELDI District- Saran

Chandrama Bhagat @ Chanau Son Of Late Shadeo Bhagat Resident Of
Village - Koreyn Ps - Bheldi District - Saran At Chapra

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 12480 of 2022)

For the Petitioner/s : Mr.Narendra Kumar

For the Opposite Party/s : Mr.Anil Prasad Singh

(In CRIMINAL MISCELLANEOUS No. 22606 of 2022)

For the Petitioner/s : Mr.Udai Shankar Singh

For the Opposite Party/s : Mr.Atul Chandra

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 18-01-2023 Heard learned counsel for the petitioners learned
counsel for the informant and learned APP for the State.

The petitioners have prayed for bail in connection
with Bheldi P.S. Case No. 194 of 2021 instituted for the offence
under Sections 341, 323, 447, 307, 504, 506, 34 of I.P.C. and
later on added Section 302 of the Indian Penal Code.



As per prosecution story, when the informant along with his wife and son were filling soil in front of their house, then the petitioners including co-accused having iron Khanti in their hands passed through and hurling abuses. It is further alleged that they started assaulting to informant and his wife by means of khanti due to which informant sustained injury thereafter he was taken to hospital and during course of treatment, informant died.

Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. There is land dispute between the petitioners and informant and a title suit going on between them, due to which the petitioners have falsely been made accused in this present case. It is further submitted that the petitioners namely, Jwala Bhagat and Chandrama Bhagat are languishing in judicial custody since 24.6.2021 & 23.8.2021 respectively.

Learned APP appearing for the state and learned counsel for the informant have vehemently opposed the prayer of regular bail and submitted that specific overt-act against the petitioners is to assault the informant and his wife as a result of which the informant succumbed to injury during course of treatment. As per postmortem report, it is apparent that injury



sustained by informant on head and fracture of both sides parietal bone besides other injuries and the cause of death has been opined due to hemorrhage and above mentioned injuries. During investigation, witnesses have also supported the prosecution case.

Having heard the learned counsel for the parties and considering the nature of allegation, this court is not inclined to enlarge the petitioners on bail and, as such, their 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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