

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21682 of 2022

Arising Out of PS. Case No.-205 Year-2021 Thana- BAIRIYA District- West Champaran

ASHOK PRASAD SON OF LATE KOLAI PRASAD R/O- BALUA
RAMPURVA, WARD NO.-18, P.S.- BAIRIYA AND DISTRICT- BETTIAH
(W. CHAMPARAN)

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Verma

For the Opposite Party/s : Mr.A.G

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

3 10-01-2023 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 petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in connection with
Bairiya P.S. Case No. 205 of 2021 registered for the offences
punishable under Sections 302 of the Indian Penal Code,1860.

As per prosecution case, petitioner is alleged to
have assaulted informant's daughter by means of brick until
death occurs.

Learned counsel for the petitioner submits that
petitioner is in custody since 11.10.2021 and bears no criminal
antecedent. From the perusal of FIR it appears that there is no



eye witness of the occurrence. Petitioner is quite innocent and has been falsely implicated in the present case.

The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner by contending that there is direct allegation against the petitioner that he has assaulted the victim by means of brick as a result of which she sustained head injury and died and the postmortem report clearly corroborates the same.

Considering the facts and circumstances of the case, nature of allegation levelled against the petitioner coupled with postmortem report as well as material available on record, I am not inclined to grant bail to the petitioner. Accordingly, the prayer for bail of the petitioner is hereby rejected.

However, the learned trial court is directed to conclude the trial within nine months from the date of receipt/production of copy of this order to the court concerned. If the trial is not concluded within the stipulated period, petitioner may renew his prayer for bail.

(Alok Kumar Pandey, J)

alok/-

U		T	
---	--	---	--

