

Arising Out of PS. Case No.-270 Year-2020 Thana- BHORE District- Gopalganj

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... .. Petitioner/s

Versus

... .. Opposite Party/s

For the Petitioner/s : Mr. Lokesh Kumar Singh, Adv.
For the Opposite Party/s : Mrs. Gulnar Begum, APP
For the Informant : Mr. Saurabh Kumar, Adv.

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3 22-08-2023 1. Heard learned counsel for the petitioner, learned
counsel for the informant and learned Additional Public
Prosecutor for the State.

2. Petitioner, who is in custody since 30.01.2023 seeks
bail, in connection with Bholey P.S. Case No.270/2020, dated
01.09.2020, for the offences punishable under Sections 341,
323, 307, 447, 325, 504, 506, 302/34 of the Indian Penal Code.
Later on Section 302 of the IPC was added.

3. According to prosecution case, the petitioner is
alleged to have assaulted the father-in-law of the informant by
means of the hand of the hand pump, due to which he died.

4. Learned counsel for the petitioner submits that the
petitioner has clean antecedent and he has falsely been



implicated in the present case. He further submits that the petitioner and informant are gotiyas and there is admitted land dispute between the them. He further submits that as per F.I.R. the petitioner has assaulted the father-in-law of the informant with handle of hand pump and the father-in-law of the informant has died during course of treatment on 02.09.2020. He has died due to injury received from the petitioner. Learned counsel for the petitioner submits that the alleged date of occurrence is 27.08.2020 but the present F.I.R. has been instituted on 01.09.2020 after the delay of four days.

5. Learned counsel for the informant as well as learned Additional Public Prosecutor for the State on the other hand have vehemently opposed the prayer for bail of the petitioner and submits that there is direct and specific allegation against the petitioner and the statement of the injured person namely Raju Ram has been recorded in paragraph-53 of the case diary in which he has categorically stated that the petitioner has assaulted the deceased with handle of the hand pump and the hand pump has also been seized during investigation and the postmortem report also corroborates the allegation as alleged in the F.I.R.

6. Considering the aforesaid facts, I am not inclined to



enlarge the petitioner on bail, in connection with Bhorey P.S.
Case No.270/2020, pending in the Court of learned C.J.M.,
Gopalganj.

7. Prayer is refused.

(Rajesh Kumar Verma, J)

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