

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40951 of 2023

Arising Out of PS. Case No.-228 Year-2022 Thana- KALUAHI District- Madhubani

1. Ramesh Das Son Of Ramdhyan Das Resident Of Village - Kalikapur, P.S. - Kaluahi, Distt. - Madhubani
2. Sajjan Das Son Of Ramdhyan Das Resident Of Village - Kalikapur, P.S. - Kaluahi, Distt. - Madhubani

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Thakur, Sr Advocate Mrs. Vaishnavi Singh Mr. Ritwik Thakur
For the Opposite Party/s	:	Mr. Rina Sinha

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 10-08-2023 Heard learned counsel for the petitioners and learned APP for the State.

The petitioners have prayed for regular bail in a case registered for the offence punishable under sections 147, 148, 149, 341, 323, 307, 302, 120B of the Indian Penal.

As per prosecution case, the allegation against the accused persons including the petitioners is that they by means of knife and dagger assaulted the informant's uncle due to which he died on the spot. It is further alleged that they also assaulted the informant's family members and



their treatment is going on.

Learned counsel for the petitioners submit that the petitioners are innocent and have committed no offence. They have falsely been implicated in this case due to previous dispute. There is case and counter case between the parties and both parties have sustained injuries in separate occurrence. It is further submitted that the petitioners are languishing in judicial custody since 24.11.2022.

Learned APP appearing for the state has opposed the prayer of regular bail and submitted that there is specific allegation of assaulting by means of knife and dagger levelled against the petitioners due to which uncle of the informant sustained injuries and died. As per Postmortem Report, which is annexed with Case Diary, which shows that two penetrating injuries and one sharp injury were sustained by the deceased. During investigation several witnesses also supported the prosecution version.

Having heard the learned counsel for the parties and considering the fact that there is direct allegation against the petitioners of assaulting, resulting into death of



the informant’s uncle, 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)

Manishkumar/-

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

