

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40232 of 2023

Arising Out of PS. Case No.-448 Year-2022 Thana- HAJIPUR SADAR District- Vaishali

Ramprit Patel Son Of Late Ramesh Patel Resident Of Village - Hilalpur, P.S.-
Industrial Area, District - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dharmesh Kumar

For the Opposite Party/s : Mr.Nirmala Kumari

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

5 17-10-2023 Heard learned counsel for the petitioner,

informant and learned A.P.P appearing on behalf of the

State.

The petitioner is languishing in custody in a

case registered for the offences punishable under

Sections 147, 149, 341, 379, 307, 504, 447 of the

Indian Penal Code. Later on, Sections 302, 120(B)/34 of

the Indian Penal Code was also added.

The prosecution case as per F.I.R is that all the

F.I.R named accused persons including the petitioner, in

the background of land dispute, surrounded the

informant and assaulted him. The petitioner again



chased him and assaulted him with iron rod which hit on his left leg and shoulders which got fractured. The informant subsequently succumbed to the injuries.

It is submitted by learned counsel for the petitioner that petitioner is innocent and he has falsely been implicated in this case. For the alleged occurrence of 04.06.2022, the F.I.R was registered on 12.06.2022. There is land dispute between the parties. The injuries are alleged to be inflicted on leg and shoulder, non-vital part of the body. The postmortem report also suggests the cause of death due to cardio respiratory failure which was due to pulmonary odema and heart failure. The petitioner is languishing in custody since 11.04.2023. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

In contra, learned counsel appearing on behalf of the informant and learned A.P.P appearing on behalf of the State have vehemently opposed the prayer for bail of the petitioner.



Considering the facts aforesaid and the period under custody, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousands) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali in connection with Hajipur Sadar P.S. Case No. 448 of 2022.

(Sunil Kumar Panwar, J)

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