

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42528 of 2022

Arising Out of PS. Case No.-124 Year-2013 Thana- SIWAIPATTI District- Muzaffarpur

RAJNIKANT Son of Late Chetu Sahni Resident of Village - Raghi, P.S.-
Shiwaipatti, District - Muzaffarpur, State - Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nachiketa Jha, Advocate

For the Opposite Party/s : Mr. Ashok Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 10-01-2023 Heard learned counsel for the petitioner, learned APP
for the State and perused the case diary.

The petitioner is in custody in a case registered for the
offence punishable under Sections 147, 148, 149, 341, 323, 302,
504 and 506 of the Indian Penal Code.

Allegedly, the petitioner along with other accused
persons came at the shop of the informant, thrashed the
informant on the ground and dragged her husband namely,
Dasrath Prasad (deceased) and killed him as well as they
threatened to vacate her shop and the house.

Learned counsel for the petitioner submits that
petitioner has falsely been implicated in this case. He further
submits that the petitioner has been implicated in this case due
to the previous enmity and the land dispute between the parties



as well as the father of the petitioner was a witness in the registry of a land done by co-accused Ashok Prasad.

Learned APP appearing for the State has vehemently opposed the prayer for regular bail and submitted that there is specific allegation of overt-act against the petitioner that he assaulted by means of *Daab* upon the injured. During investigation, the eye witnesses, namely, Sunil Kumar and his wife Anjali Sinha and others have also supported the prosecution case. From perusal of the postmortem report, it appears that there are altogether six incised wound as mentioned in the postmortem report and the doctor has also opined cause of death is due to such injuries.

After considering the seriousness of the allegation of murder of the husband of the informant, I am not inclined to grant regular bail to the petitioner.

Prayer for regular bail of the petitioner is rejected.

However, the trial court is directed to conclude the trial expeditiously.

(Sunil Kumar Panwar, J)

Brajesh Kumar/-

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