

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53945 of 2023

Arising Out of PS. Case No.-91 Year-2009 Thana- BELAGANJ District- Gaya

Parvej Ahmad @ Md. Parwej S/O Late Nasir R/O Village- Shailpur, Ps. Laheri (BIHARSHARIF), Dist. Nalanda, At Present R/O Panchayatiya Akhara, Ps. Kotwali, Dist. Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Sinha

For the Opposite Party/s : Mr.Shailendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

5 19-12-2023 Heard learned counsel for the petitioner 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 Section 302/34 of the Indian Penal Code.

It is alleged that on 18.06.2009, the petitioner along with other accused persons have assaulted to the grandson of the informant namely Abhay Kumar, due to which, he died during the course of treatment.

It is submitted by learned counsel for the petitioner that petitioner is innocent and he has falsely



been implicated in this case. It is further submitted that in the background of some petty dispute, the scuffle took place, resulting into death of the deceased. The petitioner is languishing in custody since 23.01.2023. A statement has been made in para 3 of the petition that petitioner is accused in one other case apart from present case.

In contra, learned A.P.P appearing on behalf of the State has vehemently opposed the prayer for bail of the petitioner and submitted that there is specific allegation against the petitioner that he along with other accused has assaulted the grandson of the informant, as a result of which, he died. The independent witnesses also supported the case of the prosecution.

Considering the fact that there is specific accusation against the petitioner to have assaulted along with other accused persons to the deceased, this Court is not inclined to grant bail to the petitioner. The prayer for grant of bail to the petitioner stands rejected.



The Trial Court is directed to expedite the trial
and conclude the same at the earliest.

(Sunil Kumar Panwar, J)

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