

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62841 of 2023

Arising Out of PS. Case No.-257 Year-2021 Thana- SANGRAMPUR District- Munger

DILIP RAJAK SON OF LATE KARU RAJAK RESIDENT OF VILLAGE-
KAHUA, PS- SANGARAMPUR, DISTT- MUNGER

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anju Kumari @ Anju Narain, Adv.

For the Opposite Party/s : Ms. Sangeeta Sharma, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 08-12-2023 Heard the learned Senior Counsel for the petitioner and
the learned APP for the State.

2. The present petition is by way of second attempt at the behest of the petitioner for grant of bail in connection with Sangrampur P.S.Case No. 257 of 2021 under Sections 447, 448, 302 and 379/34 of the Indian Penal Code, inasmuch as the earlier prayer of the petitioner for grant of bail has stood rejected, by an order dated 12.1.2023, passed in Criminal Miscellaneous No. 42790 of 2022.

3. The case of the prosecution in brief is that the informant namely Hareram Chaudhary was sprinkling water in his field on 06.10.2021 at about 12 in the afternoon, when the co-villager namely Dilip Rajak i.e. the petitioner herein started creating trouble, hence, the informant fled away and went to his home. Nonetheless, the petitioner along with other co-accused persons,



armed with various weapons, had forcibly entered into the house of the informant and started assaulting the mother of the informant. It is further alleged that the accused persons had also assaulted the informant and as far as the petitioner is concerned, he had assaulted the mother of the informant on the back of her head, resulting in her becoming unconscious, whereafter, she had died subsequently.

4. The learned Senior Counsel for the petitioner submits that the petitioner is languishing in custody since 7.4.2022 and there is no substantial progress in the trial, hence, the case of the petitioner for grant of bail be considered sympathetically.

5. *Per contra*, the learned APP for the State has vehemently opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record, this Court finds that there is no change in circumstance so as to warrant reconsideration of the prayer of the petitioner for grant of bail, hence, I do not find any merit in the present petition, thus, the same stands dismissed.

(Mohit Kumar Shah, J)

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