

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58424 of 2023

Arising Out of PS. Case No.-30 Year-2023 Thana- BELDOUR District- Khagaria

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Ritu Kumar @ Ritu Raj @ Kariya Son Of Om Prakash Singh Village_
Panshalwa, P.S. Beldaur, Distt. Khagaria

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Ranjeet Kumar Singh, Advocate
For the Opposite Party/s	:	Mr. Arvind Kumar Pandey, APP
For the Informant	:	Mr.

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 10-11-2023 Heard learned counsel for the petitioner and learned
APP for the State.

02. In the present case, the petitioner seeks bail in connection with Beldaur P.S. Case No. 30 of 2023 (G.r. no. 476 of 2023 registered on 17.02.2023, for the alleged offences under Sections 341, 323, 307, 504, 506, 34 of the Indian Penal Code.

03. As per prosecution case, while brick-soling working was being done in the village of the informant, the petitioner and other co-accused persons stopped the work saying that the road should be constructed from the house of the informant. When the mother of the informant objected, the petitioner assaulted her with a spade, causing grievous injury to her. The mother of the informant was taken to Sadar Hospital,



Khagaria, from where she was referred to Begusarai. Later on, mother of the informant succumbed to her injuries.

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. From the F.I.R., it is clear that informant is not an eye witness. The mother of the informant died after 83 days of the occurrence. Moreover, the cause of death is said to be CRA. due to sepsis leading to coagulative neurosis, which suggests the mother of the informant died in any other way and not by the assault made by the petitioner. Learned counsel further submits that the informant want to grab the land of the petitioner by construction of a Government road on the petitioner's land for which the alleged occurrence took place. The petitioner is in custody since 31.03.2023 and charge-sheet has been submitted. The petitioner is having criminal antecedent of one more case.

05. Learned APP for the State as well as learned counsel for the informant oppose the prayer for bail. Learned counsel for the informant submits that the witnesses examined during investigation have named this petitioner, who assaulted the mother of the informant. In paragraph-10 of the case diary, the statement of daughter-in-law of the deceased was recorded who is an eye witness, who named this petitioner who assaulted



the mother of the informant. Learned counsel further submits that even the statement the mother of the informant was recorded wherein she specifically named this petitioner, who took a spade from the labourers and assaulted on her head. It is clear that cause the death is CRA. due to sepsis leading to neurosis.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the nature of allegation against the petitioner, I am not inclined to enlarge the petitioner on bail. Hence, his prayer for bail is rejected.

07. However, the learned trial court is directed to expedite the trial and conclude the same within a year.

(Arun Kumar Jha, J)

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