

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55609 of 2022

Arising Out of PS. Case No.-182 Year-2021 Thana- MAHESHKHUNT District- Khagaria

1. BABU SAHEB KUMAR Son of Dayanand Thakur R/V- Maheshkhut Pachari Tola, Ward No. 13, P.S- Maheshkhut, Dist- Khagaria.
2. Chandan Thakur Son of Yogendra Thakur R/V- Maheshkhut Pachari Tola, Ward No. 13, P.S- Maheshkhut, Dist- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Ashok Kumar Yadav
For the State	:	Ms.Nirmala Kumari
For the Informant	:	Mr. Mukesh Kumar

CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY

ORAL ORDER

3 22-03-2023 Heard the learned counsel for the petitioners as well as the learned Additional Public Prosecutor for the State and the learned counsel for the informant.

The petitioners are seeking regular bail in connection with Maheshkhut P.S. Case No. 182 of 2021, registered for offence punishable under sections 302 and 307/34 of the Indian Penal Code.

As per allegation, when the father of the informant prohibited the accused persons from igniting crackers, these petitioners along with co-accused Pawan Thakur and Abhishek inflicted sword blow on the head of the deceased, resulting into his death.



The learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. There is case and counter case and both the parties have sustained injuries.

On the other hand, Ms. Nirmala Kumari, the learned APP and Mr. Mukesh Kumar, the learned counsel for the informant have opposed the prayer for bail and they have submitted that there is allegation against the petitioners that they inflicted sword blow on the head of the deceased. The injury of sharp weapon was found on the head of the deceased.

The petitioners are the assailants of the deceased. As such, they do not deserve the privileges for bail and accordingly their prayer for bail is rejected.

(Nawneet Kumar Pandey, J)

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