

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71878 of 2023

Arising Out of PS. Case No.-306 Year-2018 Thana- RUNISAIDPUR District- Sitamarhi

Mukesh Rai Son of Lal Babu Rai, Resident of Village - Olipur Tarai, P.S. -
Runnisaidpur, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Birendra Kumar, Adv.

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

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 03-11-2023 Heard the learned counsel for the petitioner as well
as the learned Additional Public Prosecutor for the State.

2. The petitioner is seeking regular bail in connection with Runnisaidpur P.S. Case No. 306 of 2018, registered for offence punishable under sections 147, 323, 504, 324, 307, 302/34 of the Indian Penal Code.

3. As per allegation, the accused persons including the petitioner came to the house of the informant and dismantled asbestos roof of her house. The allegation against the petitioner is that he along with two other accused persons inflicted blows on the head and other parts of the body of the husband of informant, who died at the spot. There is also allegation that co-accused persons assaulted the son and daughter of the



informant.

4. The learned counsel for the petitioner has submitted that earlier the bail petition of the petitioner was rejected, vide order dated 02.03.2023 in Cr. Misc. No. 67189 of 2022, by this Court but in that order it has been mentioned that the petitioner is the direct assailant, who inflicted *Farsa* blow on the head of the deceased, but as a matter of fact, there were three assailants to the deceased amongst whom the petitioner was one.

5. On the other hand, the learned APP has opposed the prayer for bail.

6. Even if it is true that the three persons assaulted the deceased amongst whom the petitioner was one and was carrying *Farsa*, I do not find any reason to re-consider the bail petition of the petitioner. Accordingly, it is rejected.

(Nawneet Kumar Pandey, J)

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