

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4014 of 2022

Arising Out of PS. Case No.-84 Year-2022 Thana- MEHANDIA District- Jehanabad

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Rishav Kumar @ Lakshmi Narayan S/O Late Rajiv Lochan R/O Village-
Sohsa, Ward No-3, P.S- Mehandiya, District- Arwal

... .. Appellant/s

Versus

1. The State Of Bihar
2. Lalita Devi W/O Upendra Ram R/O Village- Mainpur Chanda Bigha, P.S-
Mehandiya, District- Arwal

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Anuj Kumar
For the Respondent/s : Mr.Usha Kumari 1

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 23-03-2023 Heard learned counsel for the appellant and

learned Special P.P for the State.

The appellant has challenged the order dated
20.09.2022 passed by learned Additional District Judge-
I-cum-Special Judge SC/ST Act, Jehanabad in
connection with Mehandia P.S. Case No. 84 of 2022
(Special Case No. 30 of 2022) instituted for the offences
punishable under Sections 302, 341, 323, 504, 506, 34
of the Indian Penal Code and Sections 3(1)(r)(s), 3(2)



(va) of the SC/ST Act whereby his prayer for being released on bail has been rejected.

The prosecution case as per F.I.R. is that the husband of the informant is driving tractor of Sudhir Sharma. On 11-05-2022 at about 06.00 AM, he went from the house long with tractor towards Sohsa Ghat for loading sand. After loading sand he went into Chalan Office made in hut situated under banyan tree and requested Munshi Bhola Sharma for cutting chalan, Bhola Sharma started abusing him. In the meantime, the appellant/Rishav Kumar @ Lakshmi Narayan who was sitting near Chalan office started abusing him by calling his caste name and took out bamboo from the hut and assaulted her husband as a result of which, he became unconscious and fell down. His head was fractured and blood was oozing. The husband of the informant subsequently succumbed to the injuries during treatment.

It is submitted by learned counsel for the



appellant that appellant is innocent and he has falsely been implicated in this case. The informant is not an eye witness to the occurrence. The appellant is languishing in custody since 12.05.2022. A statement has been made in para 3 of the petition is that appellant has no criminal antecedent.

Learned Counsel appearing on behalf of the informand and learned Special P.P appearing on behalf of the State have vehemently opposed the prayer for bail of the appellant and submitted that there is specific allegation against the appellant that he assaulted the husband of the informant by bamboo stick which became fatal to him and he subsequently succumbed to the injury.

Considering the fact that there is specific allegation against the appellant, this Court is not inclined to grant the privilege of bail to the appellant. The prayer for grant of bail to the appellant 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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