

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73007 of 2023

Arising Out of PS. Case No.-276 Year-2023 Thana- MASHRAK District- Saran

TARKESHWAR RAI SON OF DAROGA RAI RESIDENT OF VILLAGE -
BANGARA, P.S. - MASHRAK, DISTRICT - SARAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nalin Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 22-11-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in judicial custody in connection with Mashrak P.S. Case No. 276 of 2023 registered under Sections 341, 323, 325 and 307/34 of the Indian Penal Code lodged on 27.05.2023 by the informant, Dharmendra Kumar Yadav.

3. As per the prosecution story, the accused persons including the petitioner armed variously assaulted the informant and his family members and the further allegation is that when the lady Shanti Devi want to save Shailesh Kumar Yadav, allegation is that this petitioner assaulted on her head as a result whereof she fell down, was unconscious and subsequently, in course of treatment she died.



4. Learned counsel for the petitioner submits that the entire family members have been roped in as an accused and the lady died after sometime in course of treatment.

5. Mr. Jitendra Narayan, learned counsel for the informant on the other hand submits that a bare perusal of the FIR would show that the petitioner gave blow on her head which ultimately proved fatal.

6. Taking into account the allegation that has come against the petitioner, for the present, this Court is not inclined to grant him privilege of bail which is accordingly rejected.

7. In view of the fact that he has already in custody since June, 2023, the Trial Court is directed to expedite the trial and conclude the same preferable within a period of six months.

(Rajiv Roy, J)

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