

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73939 of 2022

Arising Out of PS. Case No.-196 Year-2021 Thana- DARIYAPUR District- Saran

ANIL SHARMA Son of Late Rameshwar Sharma Resident of Village- Bela,
P.S.- Dariyapur, District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Parmeshwar Vishwakarma

For the Opposite Party/s : Mr.Madhura Nand Jha

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

ORAL ORDER

3 21-04-2023 Heard learned counsel for the petitioner as well as
learned APP for the State.

In this case, the petitioner is seeking regular bail in connection with Dariyapur P.S. Case No. 196 of 2021, registered for the offences punishable under Sections 341, 323, 324, 354(B), 379, 307, 504, 506, 34 of the Indian Penal Code and Section 302 of I.P.C.

As per allegation, the husband of the informant was performing labourership in the state of Arunachal Pradesh. The son of the petitioner, whenever found minor daughter of the informant alone he used to tease her and whenever she raised complaint, the petitioner used to threaten her to face dire consequences. On 06.04.2021, at about 3 p.m. when her daughter was taking bath, the son of the petitioner made video clip. On protest, the accused persons after entering into her house badly assaulted the informant



and her daughter. At the order of the petitioner, his son Niranjana Kumar assaulted the informant with iron rod and Indu Devi assaulted her with *lathi*. The accused persons also dismantled the household articles and ransacked the entire house and the informant sustained serious injuries. Thereafter, she was referred to PMCH for better treatment and subsequently died.

The learned counsel for the petitioner has submitted that there is land dispute between the parties and the petitioner is not the assailant neither there is allegation against him that he was teasing minor daughter of the informant.

The learned APP has opposed the prayer for bail and submitted that the informant was residing with her daughter and in absence of her husband, the son of the petitioner used to tease her daughter. On protest, the accused persons including the petitioner assaulted the deceased with axe, iron rod etc.

Considering the above mentioned facts and circumstances, the petitioner does not deserve the privilege of bail. Accordingly, it is rejected.

(Nawneet Kumar Pandey, J)

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