

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2844 of 2023

Arising Out of PS. Case No.-176 Year-2022 Thana- BAKHARI District- Begusarai

DEEPAK KUMAR S/O BHIKHAR SHARMA Resident of village-Than
Singh Mauji, P.S.- Bakhri, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shashank Shekhar

For the Opposite Party/s : Mr.Suman Kumari Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 24-04-2023 Heard learned counsel for the petitioner, informant and
learned APP for the State.

The petitioner has prayed for bail in a case instituted for
the offence under Sections 302 and 34 of the Indian Penal Code.

The allegation against the petitioner along with others is
of brutally assaulted the Son-in-law of the informant namely,
Madan Sharma as well as her family members. It is further
alleged that due to assault, the informant's Son-in-law succumbed
to injury.

It is submitted by learned counsel for the petitioner that
petitioner has been falsely implicated in this case. He has
committed no offence. He submitted that there was a land dispute
between the parties and the deceased aggressed towards the
petitioner and his family members. The petitioner is an attempt to



safeguard his sister-in-law and got involved in a free fight with the deceased and others, wherein both the parties sustained injuries. Petitioner is languishing in judicial custody since 27.07.2022.

Learned APP for the State and learned counsel for the informant have opposed the application for bail and submitted that there is direct allegation against the petitioner that he assaulted the deceased by means of Bamboo stick due to which he succumbed to injury. From the perusal of the Postmortem report, it reveals that cause of death is due to haemorrhagic and Neurogenic shock as a result of injuries caused by hard and blunt substance on head, which corroborates the prosecution case. During investigation, several witnesses have also supported the prosecution case.

Having heard the learned counsel for the parties and considering the nature of allegation, this court is not inclined to enlarge the petitioner on bail and, as such, his prayer for bail stands rejected.

The trial Court is directed to conclude the trial expeditiously.

(Sunil Kumar Panwar, J)

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