

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1213 of 2023

Arising Out of PS. Case No.-28 Year-2022 Thana- JIRADEI District- Siwan

=====

SANJIV KUMAR SON OF SUDAMA RAM R/O VILL.- JAMAPUR, P.S.-
ZIRADEI, DISTT.- SIWAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s	:	Mr. Yogesh Chandra Verma, Sr. Adv.
		Mr. Kumari Anupam, Adv.
For the Opposite Party/s :		Mr. Tapeshwar Sharma, APP

=====

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

- 4 21-07-2023 1. Heard Mr. Yogesh Chandra Verma, learned Senior
counsel for the petitioner and learned Additional Public
Prosecutor for the State.
2. Petitioner seeks bail, who is in custody since
29.04.2022 in connection with Ziradei P.S. Case No.28/2022,
dated 11.04.2022, for the offences punishable under Sections
341, 323, 307, 447, 504, 506, 302 and 34 of the IPC.
3. According to prosecution case, the petitioner is
alleged to have assaulted on the head of Raju Kumar Ram by
means of an iron rod, who died during course of treatment.
4. Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in the present case. He
further submits that both the parties are *gotiyas* and due to



sudden provocation, the present occurrence has taken place. He further submits that there was no intention to kill the deceased and as per allegation in the F.I.R., the petitioner has assaulted on the head of the deceased by means of iron rod.

5. Learned Additional Public Prosecutor for the State on the other hand on the basis of material available on record and the case diary vehemently opposed the prayer for bail of the petitioner and submits that the postmortem report also supports the allegation as alleged in the F.I.R. Apart from that, the petitioner has carried one criminal antecedent other than the present one.

6. vide order dated 19.06.2023, a report was called for from the learned trial court. Report dated 12.07.2023 of the learned trial court reveals that four prosecution witnesses have already been examined and the case is pending for examination of the rest of the witnesses.

7. In view of the report of the learned trial court that four prosecution witnesses have already been examined, I am not inclined to enlarge the petitioner on bail in connection with Ziradei P.S. Case No.28/2022, pending in the Court of learned A.C.J.M.-VIII, Siwan.

8. Prayer is refused.



9. However, learned trial court is directed to expedite
the trial and conclude the same at the earliest.

(Rajesh Kumar Verma, J)

amit/-

U		T	
---	--	---	--

