

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14783 of 2024

Arising Out of PS. Case No.-326 Year-2023 Thana- BARHARA KOTHI District- Purnia

Hari Kumar @ Hariya @ Hari Kumar Ram Son Of Arbind Kumar @ Sambhu
Ram @ Arvind Kumar Ram Village - Matyani, Ps- B. Kothi, Distt- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.K. Agrawal, Sr. Adv. with Mr. Kumar Rajdeep and Mr. Arvind Kumar, Advocates
For the State	:	Mr. Aditya Narayan Singh.1, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 13-05-2024 Heard learned counsel for the petitioner, informant
and learned APP for the State.

2. The petitioner seeks bail in connection with
Barhara Kothi P.S. Case No. 326 of 2023 instituted for the
offences under Sections 302 and 34 of the Indian Penal Code.

3. The allegation against the petitioner along with
others is of assaulting the son of the informant leading to his
death.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case due to land dispute. Informant is not an eye-witness
of the alleged occurrence and there has been delay in lodging



the FIR. The petitioner is in custody since 04.09.2023 and has no criminal antecedent.

5. Learned APP for the State and learned counsel for the informant have opposed the application for bail and submitted that petitioner is named in the FIR. There is specific allegation of assaulting upon the informant's son by means of iron rod is against the petitioner due to which he died. From perusal of the postmortem report, it appears that the cause of death is head injury due to assault, which corroborates the prosecution case. During investigation several witnesses have also supported the prosecution case.

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

7. The trial Court is directed to conclude the trial expeditiously.

(Rudra Prakash Mishra, J)

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