

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7509 of 2024

Arising Out of PS. Case No.-175 Year-2023 Thana- GRIYAK District- Nalanda

Shashi Kumar Sinha Son of Gurusahay Mahto @ Krishnandan Prasad Sinha
R/o vill - Rani Sarai, P.S. - Giriyak (Pawapuri), Distt. - Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prabhas Ranjan, Advocate

For the Opposite Party/s : Mr. Satyendra Narayan Singh, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 20-02-2024

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Giriyak (Pawapuri) P.S. Case no.175 of 2023 registered under sections 302 and 34 of the Indian Penal Code.

3. As per the prosecution case, the informant states that the petitioner, who happens to be the husband of the deceased, assaulted the daughter of the informant with a *kudal*. She sustained serious injuries and died.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case only for the reason that he happens to be the husband of the deceased. The manner of occurrence is other than what has been narrated in the F.I.R. Admittedly the informant is not an eye witness to the



occurrence. The petitioner and his family were leading a happy married life with one son and one daughter. He has no occasion to give effect to such an occurrence. The petitioner is in custody since 17.6.2023 and has no criminal antecedent.

5. Heard learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegations in the F.I.R. and the material that has transpired in course of investigation as has been referred to in the order of the learned trial Court, it transpires that there is direct allegation against the petitioner of having struck the daughter of the informant with a *kudal* on her head. The post-mortem report shows corresponding head injuries caused by hard and blunt substance. The learned trial Court has taken note of the statement of the witnesses in paragraph nos.6, 7, 8 and 9 of the case diary.

7. Thus, in the facts of the case, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

(Partha Sarthy, J)

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