

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11752 of 2024

Arising Out of PS. Case No.-162 Year-2023 Thana- BAIRIYA District- West Champaran

Rajaram Sah S/O BHIKHARI SAH VILLAGE- TILANGAHI, PS.-
BAIRIYA, DIST. WEST CHAMPARAN.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar, Adv.

For the Opposite Party/s : Mr.Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

3 26-04-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Bairiya P.S. Case No.162 of 2023 lodged under Sections 341,
323, 307, 504, 506 and 34 of the I.P.C. However, section 302
IPC was added later in this case.

3. As per the prosecution case, the F.I.R. has been
lodged against nine named accused persons including the
petitioner and the specific allegation against the petitioner is that
he has assaulted by iron rod on the head of the brother of the
informant due to which he was brutally injured and during
treatment in the hospital, he died.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He submits
that both informant and petitioner belong to same village and on
petty local issue of land, the scuffling took place from both the
sides.



5. Counsel also submits that the two accused persons have been granted bail by the Co-ordinate Bench and one accused persons has been granted bail by this Court vide order dated 22.02.2024 passed in Cr. Misc. No. 11302/2024.

6. Counsel for the petitioner submits that the petitioner is in custody since 05.09.2023 having clean antecedent.

7. Counsel also submits that case diary has been called for and in the case diary, there are two version come at the mouth of two witnesses.

8. Learned counsel for the State opposes the prayer for bail and submits that though there are two version of the witnesses, but direct allegation of commission of crime with common intention is against the petitioner.

9. In the present facts and circumstances of this case and the submissions made above, this Court is not inclined to grant bail to the petitioner. Therefore, the bail application of the petitioner is hereby rejected at present.

10. However, trial court is directed to expedite the trial within one year.

(Dr. Anshuman, J.)

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