

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25101 of 2024

Arising Out of PS. Case No.-489 Year-2023 Thana- BUXAR MUFFSIL District- Buxar

Dinesh Ram son of Musafir Ram R/o Village- Kamarpur P.S- Buxar (M),
Dist- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhash, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 26-07-2024 Heard Mr.Abhash, learned counsel for the petitioner,

learned counsel for the informant and Mr.Binod Kumar, learned

A.P.P. for the State.

2. The petitioner seeks bail, who is in custody since
25.11.2023 in connection with Buxar (Muffasil) P.S. Case No.
489 of 2023, F.I.R. dated 15.11.2023 registered for the offence
punishable under Sections 341, 323, 324, 307, 302, 354(B),
379, 504,506/34 of the Indian Penal Code.

3. Allegation against the petitioner is that he inflicted
Khanti blow upon the head of the informant's brother Jyoti
Prakash Ram (deceased) resulting in his death at Trauma Center
Varanasi during his treatment.

4. Learned counsel appearing for the petitioner
submits that the petitioner has clean antecedent. He has falsely



been implicated in the present case due to some petty issue. Further submits that there is no specific allegation of any assault or overt-act attributed against the petitioner and there is case and counter case.

5. Learned counsel for the informant and learned APP for the State, on the other hand, have opposed the prayer for bail of the petitioner and submits that from a bare perusal of the FIR it appears that there is direct and specific allegation against the petitioner that he inflicted Khanti blow upon the head of the informant's brother Jyoti Prakash Ram (deceased) and he died during his treatment at Varanasi and the postmortem report of the deceased also supports the allegation as alleged in the FIR.

6. Considering the aforesaid facts and there is direct and specific allegation against the petitioner which is supported by the medical evidence, I am not inclined to enlarge the petitioner on bail in connection with Buxar (Muffasil) P.S. Case No. 489 of 2023 pending in the court of learned C.J.M., Buxar.

7. Prayer is refused.

(Rajesh Kumar Verma, J)

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