

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36350 of 2024

Arising Out of PS. Case No.-1199 Year-2023 Thana- KHAGARIA District- Khagaria

Naresh Sharma S/o Sukhdeo Sharma Resident of Village - Jhamta, ward no. 3, P.S.- Khagaria (Muffasil) District- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Parmatma Singh, Advocate

For the Opposite Party/s : Mr. Sucheta Yadav, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 15-05-2024 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Khagaria (Muffasil) P.S. Case No. 1199 of 2023 instituted for the offence under Sections 302/ 34 of the Indian Penal Code.

3. The allegation against the petitioner along with others is of killing the husband of the informant.

4. It has been submitted on behalf of the petitioner that the petitioner is in custody since 22-12-2023. Petitioner bears one criminal antecedent, as per disclosure made in paragraph No. 3 of the bail application.



5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. Learned counsel for the petitioner submits that the deceased was cardiac patient since last three years and on the date and time of occurrence, he fell forward on the ground due to which he got injury in his nose and chest/rib. It is next submitted that no assault was given by the petitioner.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. It is submitted that there is specific allegation against the petitioner of giving *lathi* blow to the deceased. It is next submitted that postmortem report corroborates the allegation levelled in the FIR.

7. Considering the aforesaid facts and circumstances of the case, there being direct allegation against the petitioner, taking into account the postmortem report and nature and gravity of the offence, this Court is not inclined to grant bail to the petitioner.

8. Accordingly, the prayer for grant of bail to the petitioner is **rejected**.

9. The Trial Court is directed to expedite the trial as expeditiously as possible without any undue delay and



unnecessary adjournments.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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