

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40681 of 2024

Arising Out of PS. Case No.-3 Year-2024 Thana- PARSA District- Saran

Satendra Ray @ Satyendra Rai @ Satyenda Rai Son of Late Bala Ray R/O
Vill.- Anjani Mathiya, P.S.- Parsa, Dist.- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Nalin Kumar, Advocate
For the Opposite Party/s	:	Mr. Raj Ballabh Singh, APP
For the Informant	:	Mr. Dhananjay Kumar Tiwari, Advocate

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

ORAL ORDER

4 31-07-2024 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the informant.

2. The petitioner seeks bail in connection with S.Tr.
No. 321 of 2024 arising out of Parsa P.S. Case No. 03 of 2024
instituted for the offences under Sections 341, 323, 324, 307,
506, 34, 302 of the Indian Penal Code.

3. It is alleged that this petitioner along with other
accused persons assaulted the father of the informant by means
of *lathi-danda* and *garasa* as a result of which he sustained
injury. The informant's father died during course of treatment.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case.
Learned counsel for the petitioner submits that general and



omnibus allegation has been made against the petitioner. No specific overt act is alleged against the petitioner. Learned counsel further submitted that petitioner had no intention to commit murder of the deceased. Learned counsel further contended that deceased died during course of treatment due to negligence and lack of proper treatment. It has been submitted on behalf of the petitioner that the petitioner is in custody since 04.01.2024 and has no criminal antecedent.

5. On the other hand, learned A.P.P. for the State and learned counsel for the informant have vehemently opposed the prayer for grant of bail to the petitioner. Learned counsel for the informant submitted that from perusal of the FIR itself, it is evident that petitioner along with other co-accused assaulted the deceased with intention to kill him, as a result of which he sustained injuries and later on, died during the course of treatment. Learned APP for the State further submitted that as per the post-mortem report of the deceased, multiple ante-mortem injuries are found on the body of the deceased caused by hard and blunt object, which supports the case of the prosecution. Learned APP further contended that on perusal of the case diary, it appears that several independent witnesses have supported the case of the prosecution and, therefore, the



petitioner does not deserve to be released on bail.

6. Having considered the submissions canvassed by the learned counsel for the parties and the material available on record, since there is ample material against the petitioner that he actively participated in the alleged occurrence, therefore, this Court is not inclined to grant bail to the petitioner.

7. Accordingly, the prayer for grant of bail to the petitioner is, hereby, rejected.

8. Learned trial Court is directed to expedite the trial. However, liberty is granted to the petitioner to renew his prayer for grant of bail before the trial Court if the trial is not concluded with a period of six months from the date of receipt/production of this order. If any such application is filed, the trial Court will consider and dispose of the same without being prejudiced by this order.

(Rudra Prakash Mishra, J)

Alok Verma/-

U		T	
---	--	---	--

