

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42193 of 2024

Arising Out of PS. Case No.-334 Year-2023 Thana- DINARA District- Rohtas

Ashok Singh @ Ashok Kumar Singh Son of Raghubansh Singh Resident of
Village - Chatar, P.S.- Dinara, District - Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Krishna Prasad Singh, Sr. Advocate
	:	Mr. Bhaskar Shankar, Advocate
For the Opposite Party/s	:	Mr. Mohammad Sufyan, APP
For the Informant	:	Mr. Babu Nandan Prasad, Advocate

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

3 08-10-2024 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is in custody in a case registered for the
offence punishable under Sections 341, 323, 324, 504, 506, 147
and 302 of the Indian Penal Code.

As per allegation in the FIR, it is a case of death of the
deceased due to grievous assault upon the deceased by the
petitioner and other co-accused persons due to which the
deceased succumbed to his injuries.

Learned senior counsel for the petitioner submits that
petitioner has falsely been implicated in this case. Petitioner has
got clean antecedent as stated in para-3 of the petition and he is
in custody since 02.09.2023. He next submits that the injury



caused on the head of the deceased was due to falling on the stair case and not from assault.

Learned APP for the State as well as learned counsel for the Informant have opposed the prayer for bail of the petitioner. Learned counsel for the informant has submitted that there is specific allegation of assault upon the brother of the informant, due to which, deceased succumbed to his injuries.

On perusal of the first information report, case diary, postmortem report and impugned order dated 30.01.2024, it appears that the petitioner and co-accused persons have brutally assaulted the victim (deceased) who later on died due to the injuries caused by the petitioner and other co-accused persons who are specifically named in the FIR and postmortem report also supports the case of the prosecution as the injury was found upon the deceased is of temporal area and fracture in the skull and various other injuries on the body of the deceased caused by the petitioner and other co-accused persons. The informant Rajwansh Singh was also assaulted and the injury report of the informant also shows that there was pain in the body, so considering all aspects of the case, I am not inclined to grant bail to the petitioner.

Accordingly, the prayer for bail of the petitioner is



hereby rejected.

(Ramesh Chand Malviya, J)

Brajesh Kumar/-

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