

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50838 of 2024

Arising Out of PS. Case No.-140 Year-2022 Thana- ISUAPUR District- Saran

Vicky Kumar S/O Parmeshwar Ram @ Bhuar Ram R/O Village- Agauthar
Nanda, P.S- Ishuapur, Distt.- Saran At Chapra.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Rajiv Ranjan, Advocate
	:	Mr.Avinash Kumar Pandey, Advocate
For the Opposite Party/s	:	Mr.Nand Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 23-08-2024 Heard Mr.Rajiv Ranjan, learned counsel for the
petitioner and Mr.Nand Kishore Prasad, learned Additional
Public Prosecutor for the State.

2. The petitioner seeks bail, who is in custody since
17.06.2023 in connection with Ishuapur P.S. Case No. 140 of
2022, F.I.R. dated 27.06.2022 registered for the offence
punishable under Sections 341,342,323,324,307,504,302/34 of
the Indian Penal Code.

3. Allegation against the petitioner is that he assaulted
to the son of the informant. When sister of the informant came
to save him, petitioner assaulted to the sister of the informant
with Daab causing injury on her head. During treatment, sister
of the informant died.



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 admitted land dispute between the parties. The allegation as alleged in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR.

5. Learned APP for the State, on the other hand, has opposed the prayer for bail of the petitioner and submits that from a bare perusal of the FIR it appears that there there is direct and specific allegation against the petitioner that he assaulted with Daab to the deceased and the independent witness also supported the case of the prosecution and apart from that, the postmortem report of the deceased also corroborated the allegation as alleged in the FIR.

6. Considering the aforesaid facts, I am not inclined to enlarge the petitioner on bail in connection with Ishuapur P.S. Case No. 140 of 2022 pending in the court of learned Additional District and Sessions Judge-VII, Saran.

7. Prayer is refused.

(Rajesh Kumar Verma, J)

Nitesh/-

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