

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51099 of 2024

Arising Out of PS. Case No.-322 Year-2023 Thana- PASRAHA District- Khagaria

Phulo Sada Son of Late Basudev Sada R/O Vill.- Barmashia, Mushari, P.s.-
Pasraha, Dist.- Khagaria.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jai Kishor Poddar

For the Opposite Party/s : Mr.Ram Sumiran Rai

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 29-07-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Pasraha P.S. Case No. 322 of 2023 registered for the offence
punishable under Sections-341, 323, 324, 307, 504/34 of the
Indian Penal Code.

3. As per prosecution case, the accused persons are
said to have been digging the land in dispute, forcibly and on
protest, the accused persons attacked the informant. It is further
alleged that when the informant tried to flee away, this petitioner
is said to have assaulted the informant with spade as a result of
which, he sustained bleeding injury on his head.

4. Learned counsel for the petitioner has submitted



that the petitioner is innocent and he has falsely been implicated in this case. The petitioner is a person of clean antecedent. There is no eye witness to the occurrence. It has further been submitted that there is no cogent material to substantiate the allegation levelled against the petitioner. The petitioner is in custody since 21-03-2024.

5. Learned APP has opposed the prayer for bail.

6. Considering the fact that there is specific allegation against the petitioner to assault the informant on his head by means of spade as a result of which he sustained grievous injury, I am not inclined to grant bail to the petitioner and accordingly, the same is rejected.

7. However, if so advised, the petitioner may renew his prayer for bail after completion of six months in custody before the court below itself.

(Nawneet Kumar Pandey, J)

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