

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61198 of 2023

Arising Out of PS. Case No.-162 Year-2022 Thana- HUSSAINGANJ District- Siwan

LAL BAHADUR RAM, Son of Suresh Ram R/o vill - Hathaura, P.S. -
Hussainganj, Distt. - Siwan

... .. Petitioner/s

Versus

THE STATE OF BIHAR PATNA

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kamala Kant Tiwary, Adv.

For the Opposite Party/s : Mr. Arvind Kumar Pandey (APP-84)

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

4 27-02-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Husainganj P.S. Case No. 162 of 2022, lodged on 21.06.2022
under Sections 147, 341, 323, 324, 326, 504, 506, 302 of the
Indian Penal Code.

3. As per the prosecution case, the FIR has been
lodged against 13 named accused persons including the present
petitioner. There is a specific allegation in the FIR that the
petitioner has attacked on the husband of the informant by
Kudal due to which he suffered head injury and during
treatment, husband of the informant died.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. Counsel
also submits that section 302 of the Indian Penal Code has been
added in this case later on. Counsel further submits that the



antecedent of the petitioner is clean and he is in custody since 16.09.2022.

5. Learned counsel for the petitioner submits that charge has already been framed and evidence of prosecution witness started. Counsel further submits that upon bare reading of the FIR, it becomes crystal clear that the dispute for boundary wall took place and for that, *panchayati* was going on and after *panchayati*, the said occurrence took place.

6. Learned APP for the State opposes the prayer for bail of the petitioner and submits that case diary along with post-mortem report as well as report was called for and the Trial Court submits that there is likelihood that within six months, trial shall be concluded.

7. In the present facts and circumstances, this Court is not inclined to grant regular bail to the petitioner at present.

8. Accordingly, the prayer for regular bail of the petitioner in connection with Husainganj P.S. Case No. 162 of 2022, pending before the learned Chief Judicial Magistrate, Siwan is **hereby rejected**.

(Dr. Anshuman, J.)

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