

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64596 of 2024

Arising Out of PS. Case No.-128 Year-2024 Thana- Kavaiya District- Lakhisarai

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Raushan Kumar Son of Sanjay Ram R/O Village - Ward No.- 26, Gopal
Bhandar Gali, P.S.- Kabaiya, District - Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. S.K. Lal

For the Opposite Party/s : Mr.Surendra Kumar

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 17-12-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Kabaiya P.S. Case No. 128/2024 dated 15.07.2024 registered for the offence punishable u/s 126(2), 115(2), 109, 352, 118 and 3(5) of the B.N.S.

3. As per the prosecution case, on the alleged date of occurrence of 12.07.2024, the informant had gone to purchase milk from a shop, meanwhile his neighbour J.P. @ Suraj Kumar, Raushan Kumar and Sunny Kumar @ Bhushan armed with iron rods started abusing the informant and with intention to kill assaulted him with rod causing injury on his head, nose and fingers.



4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner has no concern with the alleged occurrence. There is a delay of 3 days in lodging the FIR. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 12.07.2024

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner by submitting that there is repetition of blow. As per the injury report, there are six lacerated wounds on the vital part of scalp of injured in frontal region and occipital region along with one abrasion on the vital part of the body and the injuries are grievous in nature caused by hard and blunt substance. The petitioner and the co-accused persons had intention to kill.

6. Considering the aforesaid facts and circumstances of the case as well as the injuries being grievous in nature, this Court is not inclined to grant bail to the petitioner and the same is rejected in connection with Kabaiya P.S. Case No. 128/2024, pending in the court of learned C.J.M, Lakhisarai.

7. Learned court below is directed to conclude the trial of the petitioner at the earliest.

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(Chandra Prakash Singh, J)

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