

Arising Out of PS. Case No.-186 Year-2022 Thana- AMDABAD District- Katihar

... .. Petitioner/s

Versus

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Singh

For the Opposite Party/s : Mr. Pushpa Sinha.1

3. As per allegation in the FIR, over a dispute of grazing green trees by the goat of the informant, accused persons started to abuse him. Accused Putul Devi, wife of the petitioner, assaulted the informant's father by means of lathi on his head and petitioner assaulted him by means of sickle on his head, hand and back as a result of which he badly injured and fell down on the ground. When the brother of the informant came there to save his father, he was also beaten up by the accused persons resulting into several injuries. It is further alleged that father of the informant succumbed to injuries.



4. It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case. The alleged occurrence took place over a trivial dispute. Both parties are co-villagers. In the alleged scuffle, deceased himself received injury and died on spot. Petitioner is languishing in judicial custody since 7.9.2022.

5. The application for bail is opposed by learned APP for the State and submitted that there is direct allegation of giving sickle blow to the deceased against the petitioner. As per postmortem report, doctor opined cause of death due to injuries caused by sharp object and as such, postmortem report corroborates the FIR version. During investigation, several witnesses have supported the prosecution story.

6. Having heard the learned counsel for the parties and considering the nature of allegation, this court is not inclined to enlarge the petitioner on bail and, as such, his prayer for bail stands rejected.

7. The trial court is directed to expedite and conclude the trial.

(Sunil Kumar Panwar, J)

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