

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70781 of 2024

Arising Out of PS. Case No.-284 Year-2023 Thana- NAWADA MUFFASIL District- Nawada

Shyam Bahadur Kewat S/O Late Bineshwar Kewat alias Dinesher Kewat R/o
Village- Panshalla, P.S. Muffasil, Dist. Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Birendra Kumar

For the Opposite Party/s : Dr. Ajeet Kumar

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR

ORAL ORDER

2 06-12-2024

Heard learned counsel for the parties.

2. The petitioner seeks regular bail in connection with Session Trial No. 83/2024, arising out of Muffasil P.S. Case No. 284/2023, registered for the offence punishable under sections 323, 341, 302, 504, 34 of the Indian Penal Code.

3. As per prosecution case, petitioner along with other accused persons are said to have assaulted the informant's side with weapon.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He submits that there is case and counter case between the parties and both sides have sustained injury. He submits that there is no specific overt act against the petitioner. He submits that there is general and omnibus allegation levelled against the



petitioner. He further submits that petitioner has one criminal antecedent.

5. Learned APP for the State opposes the prayer for bail.

6. Considering the fact that the deceased was assaulted brutally and has sustained six injury which the supports the F.I.R. and also the fact that the six witnesses have already been examined in the trial, I am not inclined to grant bail to the petitioner in view of the law laid down by Hon’ble Supreme Court in the case of *X vs. State of Rajasthan 2024 SCC Online SC 3539*, this application is dismissed.

7. Learned counsel for the petitioner undertakes to produce the private witnesses on the date fixed in the trial.

8. If the trial is delayed by the prosecution, the petitioner may renew his prayer for regular bail.

(Sandeep Kumar, J)

Ranjeet/-

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