

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72204 of 2024

Arising Out of PS. Case No.-117 Year-2023 Thana- PARBATTa District- Bhagalpur

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Ram Chandra Paswan S/O Late Mahendra Paswan Resident of Nij Tola, Sahu
Parbatta, P.S. Parbatta District Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar Singh, Advocate

For the Opposite Party/s : Mr. Rajendra Nath Jha, APP

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 21-11-2024 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner seeks bail in Parbatta P.S. Case No.

117 of 2023, instituted for the offences punishable under Section

302 of the Indian Penal Code.

3. The prosecution case, in short, is that, the petitioner

assaulted the deceased Umesh Paswan by means of iron rod due

to which he sustained grievous injuries but during treatment he

succumbed to his injuries.

4. Learned counsel for the petitioner submits that the

petitioner is innocent and has falsely been implicated in the

present case. Charge-sheet has been submitted as well as Charge

has also been framed in this case. No incriminating material has



been recovered from the conscious possession of the petitioner. Learned counsel for the petitioner further submits that there is delay of two days in lodging the FIR. There is no eye witness in this case on the point of the involvement of the petitioner in the alleged incident. The material against the petitioner is only hearsay. The petitioner is in custody since 24.07.2023 and has got one criminal antecedent in which he is on bail.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner. Learned APP submits that there is specific allegation of assault against the petitioner by means of iron rod.

6. Considering the aforesaid facts and circumstances of the case, nature of accusation and the gravity of the offence, this Court is not inclined to grant bail to the petitioner.

7. The prayer is rejected. The trial Court is directed to expedite the Trial expeditiously. However, if the trial is not concluded within a period of six months from the date of receipt/production, the petitioner will have liberty to renew his prayer for bail in the Court below.

(Rudra Prakash Mishra, J)

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