

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75720 of 2023

Arising Out of PS. Case No.-362 Year-2023 Thana- FATUA District- Patna

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Dhalindra Kumar Son Of Late Ram Janak Singh @ Late Janak Singh
Resident Of Village - Niyajipur, P.S. - Fatuha, District - Patna

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Kumar Binode Bariar
For the Opposite Party/s : Mr.Rajendra Prasad Nat

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 31-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case
registered for the offence punishable under sections 323, 341,
307, 504 of the Indian Penal Code.

As per FIR, it is alleged that the petitioner came in
search of his son but when he did not find his son then he
pierced sharp edge of wicket in the eye of the informant's son
due to previous dispute.

Learned counsel for the petitioner submits that the



petitioner is innocent and has committed no offence. He has falsely been implicated in this case due to previous enmity. It is submitted that the occurrence occurred at the spur of the moment while match was happening. It is further submitted that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 18.05.2023. The I.O. submitted charge sheet under Sections 341, 323, 326, 307, 504 of the Indian Penal Code.

Learned APP appearing for the state and learned counsel for the informant have vehemently opposed the prayer of regular bail and submitted that the victim is aged about nine years and there is specific allegation against the petitioner. As per Injury Report, it came into light that due to alleged occurrence i.e. piercing one of the wickets in the eye of the informant's son due to which his left eye sustained injuries and became prepthisical stage which is also called an end stage of eye. During investigation witnesses also supported the prosecution version.

Having heard the learned counsel for the parties and considering the fact that there is direct allegation against the petitioner of piercing sharp edge of wicket into the left eye of the informant's son, this court is not inclined to enlarge the



petitioner on bail and, as such, his prayer for bail stands rejected.

The trial Court is directed to expedite the trial and conclude the same as soon as possible.

The petitioner may move for prayer of bail after framing of charge.

(Sunil Kumar Panwar, J)

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