

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74508 of 2024

Arising Out of PS. Case No.-45 Year-2024 Thana- BARHARA District- Bhojpur

Sakal Turha Son of Mahesh Turha @ Lappu Turha @ Mahesh Gupta Resident
of Village - Pafarna, P.S. - Barhara, District - Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Malti Kumari, Advocate

For the Opposite Party/s : Mr. Umesh Lal Verma, APP

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

ORAL ORDER

2 30-10-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection
with Barhara P.S. case No. 45 of 2024 instituted for the offences
under Sections 341, 323, 307, 504, 506/34 of the Indian Penal
Code.

3. Prosecution story, in short, is that on the alleged
date and time of occurrence, all the accused persons including
the petitioner surrounded the informant and when the informant
objected then all the accused persons assaulted him. It is further
alleged that this petitioner along with other co-accused caught
hold of the informant and co-accused Ajit Turha assaulted the
informant on his head by means of iron rod. In the meantime,



when the uncle of the informant came to rescue, the accused persons also assaulted him. It is alleged that petitioner along with other co-accused caught hold the uncle of the informant and co-accused Golu Turha assaulted him on his head using sharp weapon.

4. Learned counsel for the petitioner submitted that petitioner has falsely been implicated in the present case. The allegations against the petitioner is false and concocted. No incriminating article has been recovered from the conscious possession of the petitioner. He further submitted that there is case and counter-case between the parties. Learned counsel further submitted that there is no specific allegation of assault against the petitioner. It has been submitted on behalf of the petitioner that the petitioner has no criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. Learned counsel further submitted that there is specific allegation against the petitioner that he caught hold of the informant's hand and also of the informant's uncle Suryadev Pandey and co-accused Ajit Turha assaulted the informant on his head by means of iron rod. Learned counsel, therefore, prays that petitioner may not be released on bail.



6. Considering the fact that there is specific allegation against the petitioner that he caught hold of the informant and informant’s uncle and co-accused persons assaulted them by means of iron rod, this Court is not inclined to grant bail to the petitioner.

7. Prayer for grant of bail to the petitioner is, hereby, rejected.

8. However, liberty is given to the petitioner to surrender before learned Court below and seek regular bail.

(Rudra Prakash Mishra, J)

Alok Verma/-

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