

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81707 of 2023

Arising Out of PS. Case No.-286 Year-2023 Thana- OBRA District- Aurangabad

PAWAN KUMAR Son of Shankar Yadav R/o vill - Pipardih, P.S. -
Aurangabad Town, Distt. - Aurangabad

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukul Kumari

For the Opposite Party/s : Mr.Sangeeta Sharma

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 08-02-2024 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

2. The petitioner has prayed for bail in connection
with Obra P.S. Case No. 286 of 2023 instituted for the offence
under Sections 302, 379, 506 of the Indian Penal Code.

3. As per allegation in the FIR, the informant alleged
that his son Sachin Kumar had gone to Varansi with the
petitioner and during course of their return, the petitioner
snatched golden chain of his son and pushed him on railway
track due to which he sustained head and hand injuries and
thereafter, he died. The informant was informed about the
incident by villagers.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and committed no offence. He has falsely
been implicated in this case. It is further submitted that the



petitioner has no concern with the alleged occurrence and son of the informant/deceased had met with an accident from train due to which succumbed to injury. The petitioner has got no criminal antecedent languishing in custody since 5.7.2023.

5. Learned APP appearing for the state and learned counsel for the informant have vehemently opposed the prayer of regular bail and submitted that the petitioner is named in the FIR who has specially been alleged to push the son of the deceased on railway track due to which he died. The postmortem report of the deceased shows seven injuries and cause of death is opined due to haemorrhage & shock caused by impact of hard & blunt substance like wheel of train. Moreover, there are strong circumstantial evidences against the petitioner.

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 the trial and conclude the same as soon as possible.

(Sunil Kumar Panwar, J)

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