

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.334 of 2024

Arising Out of PS. Case No.-5 Year-2022 Thana- OBRA District- Aurangabad

AKHILESH PASWAN SON OF VEYAS PASWAN RESIDENT OF
VILLAGE - RATWAR TOLA, BHUIYAN BIGAHA, POLICE STATION -
OBRA, DISTRICT - AURANGABAD, BIHAR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Ravindra Nath Dubey, Advocate
For the State : Md. Matloob Rab, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 21-03-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in a case registered for the
offence punishable under Sections 302 and 34 of the Indian
Penal Code.

3. As per prosecution case, allegation against this
petitioner is to have killed the brother of the informant. It has
come during course of investigation that during course of
treatment the deceased has disclosed to the informant and others
that this petitioner, along with other accused persons, brutally
assaulted him.

4. It is submitted by learned counsel appearing on
behalf of the petitioner that the informant is not an eye-witness



of the alleged occurrence and only on suspicion this petitioner he has falsely been implicated in this case. It is further submitted that the F.I.R. has been instituted after delay of 15 days, without any explanation for the same. Petitioner claims clean antecedents and he is in custody since 12.10.2023.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner and submitted that the deceased has specifically disclosed the name of this petitioner as the person who assaulted him.

6. Considering the rival submissions, specific accusation of assault against this petitioner and the dying declaration of the deceased, the prayer for grant bail of to the petitioner is rejected.

7. However, considering the nature of accusation and the fact that the petitioner is in custody since 12.10.2023, the learned trial court is directed to expedite the trial and conclude the same, preferably within a period of one year from the date of receipt/production of copy of this order.

(Prabhat Kumar Singh, J)

shashank/-

U		T	
---	--	---	--

