

Arising Out of PS. Case No.-352 Year-2024 Thana- DHANARUA District- Patna

... .. Petitioner/s

Versus

... .. Opposite Party/s

For the Petitioner/s : Mr. Parth Sarthy, Advocate
For the Opposite Party/s : Mr. Nitya Nand Tiwary, APP

ORAL ORDER

2. Earlier, anticipatory bail of the petitioner was rejected by a Co-ordinate Bench of this Court vide order dated 31.01.2025 passed in Cr. Misc. No. 84825 of 2024.

3. The petitioner seeks bail in connection with Dhanarua P.S. Case No. 352 of 2024, instituted for the offences punishable under Sections 126(2), 115(2), 118(1), 103(1) and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

4. The prosecution case, in short, is that the petitioner along with other co-accused persons have brutally assaulted the informant's father due to which he sustained severe injuries and died in course of his treatment.



5. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. No incriminating material has been recovered from the conscious possession of the petitioner. Learned counsel for the petitioner also submits that the allegation levelled against the petitioner is general and omnibus in nature. It is next submitted that a scuffle took place between both the parties in which both sides have sustained injuries. It is further submitted that there is case and counter case between the parties. The petitioner is in custody since 04.02.2025 and has got no criminal antecedent.

6. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner and submits that there is specific allegation against the petitioner of causing head injury upon informant's father intentionally by blowing spade. Hence, the petitioner does not deserve the privilege of bail.

7. 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.

8. The prayer is rejected. The trial Court is directed to expedite the Trial. 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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