

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76832 of 2024

Arising Out of PS. Case No.-50 Year-2024 Thana- KUNALI District- Supaul

Ashok Sharma, Son of Late Sukhdev Sharma, Resident of village- Haripur ,
P.S- Kunali, Distt.- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Krishna Jha, Advocate
For the Opposite Party/s : Mr. Abhay Kumar Roy, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

5 07-04-2025 Heard Mr. Raj Krishna Jha, learned counsel for the
petitioner and Mr. Abhay Kumar Roy, learned APP for the State.

2. The petitioner has prayed for bail in connection with
Kunali P.S. Case No. 50 of 2024 instituted for the offence under
Sections 147, 148, 149, 448, 341, 323, 324, 307, 302, 504 and 506
of the Indian Penal Code.

3. The case of the prosecution is that the petitioner
assaulted with *kulhari* on the head of the father of the informant
due to which he died.

4. It is submitted by learned counsel for the petitioner
that petitioner is innocent and has committed no offence. He has
been falsely implicated in the present case. It has further been
submitted that from perusal of the case diary specifically para-7, it
will transpire that the place of occurrence as described in the F.I.R.



is not that. It has also been submitted that there is land dispute between the parties and the occurrence has happened on trivial issue. A statement has been made in para-3 of the petition that the petitioner has got no criminal antecedent. He is languishing in judicial custody since 11.05.2024.

5. Learned APP appearing for the state has opposed the prayer of regular bail and submitted that the witnesses who have been examined during investigation, have supported the case and they have categorically stated that the petitioner assaulted the deceased who died due to the injuries. From perusal of the injury report also it is clear that cause of death was the antemortem injuries.

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 at this stage and, as such, his prayer for bail stands rejected.

7. Petitioner will be at liberty to renew his prayer for bail after six months, if the trial is not concluded.

(Ashok Kumar Pandey, J)

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