

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78359 of 2024

Arising Out of PS. Case No.-46 Year-2023 Thana- SAHPUR District- Bhojpur

CHANDAN KUMAR @ CHANDAN RAM SON OF RAJENDRA RAM
R/O VILL.- SHAHJAULI, P.S.- SHAHPUR, DIST.- BHOJPUR.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kunal Singh, Adv.

For the Opposite Party/s : Mr.Lalan Kumar, APP

Mr. Manoj Kumar, Adv.for Informant

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 21-02-2025 Heard learned counsel for the petitioner, learned
A.P.P. for the State and learned counsel for the informant.

2. The petitioner seeks bail in Sahpur P.S. Case No. 46 of 2023, registered for offence under Sections 147, 148, 149, 323, 447, 307, 354B, 504 and 506 of the Indian Penal Code and later on, Section 302 of I.P.C. was added.

3. As per F.I.R., this petitioner assaulted on the head of father-in-law of informant by means of *lathi*, due to which, in course of treatment, he died.

4. Learned counsel for the petitioner submits that as per allegation, all the nine F.I.R. named accused persons came at the door of informant and this petitioner alongwith co-accused Vijay Kumar assaulted on the head of Nand Kumar Ram and Ram Lal Ram and thereafter, other co-accused persons also



assaulted them and as such, allegation is against all the nine accused persons, who jointly assaulted on the head of injured persons. He further submits that *post-mortem* report and injury report of Ram Lal Ram does not corroborate the manner of assault, as alleged in the F.I.R. Petitioner is in custody since 07.03.2024. Chargesheet has been submitted.

5. However, learned counsel for the informant vehemently opposes the prayer for bail and submits that there is specific and direct allegation against this petitioner that he assaulted the deceased by means of lathi & iron rod, on account of which, father of informant (Nand Kumar Ram) died during course of treatment.

6. Considering the fact that petitioner is one of the assailant of the deceased, the prayer for bail of petitioner is rejected. However, since petitioner is in custody since 07.03.2024, the learned Court below is directed to conclude the trial preferably within a period of one year from the date of receipt / production of copy of this order.

(Prabhat Kumar Singh, J)

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