

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.90061 of 2024

Arising Out of PS. Case No.-1199 Year-2023 Thana- KHAGARIA District- Khagaria

Ram Bali Sharma S/o- Sukhdev Sharma Village- Jhamta Ps- Khagaria
Muffasil Dist- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shubhesh Pandey, Advocate
For the Opposite Party/s : Mr. Jai Narain Thakur, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

4 04-04-2025 Heard learned counsel for the petitioner, learned
APP for the State and perused the case diary.

2. The petitioner seeks bail in connection with Khagaria (Muffasil) P.S. Case No. 1199 of 2023, instituted for the offences punishable under Sections 302/34 of the Indian Penal Code.

3. The prosecution case, in short, is that, the petitioner along with other co-accused persons assaulted husband of the informant by means of iron rod and *lathi* due to which he sustained injury and later on he succumbed to his injuries.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. Charge-sheet has been submitted in this case. No incriminating material has been recovered from the conscious



possession of the petitioner. Learned counsel for the petitioner also submits that both the parties are agnates. No specific allegation has been attributed against the petitioner, rather the same is general and omnibus in nature. It is further submitted that informant of this case is not an eye witness of the said occurrence. The petitioner is in custody since 26.06.2024 and has got no criminal antecedent.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner and submits that there is specific allegation levelled against the petitioner of assaulting the deceased by means of iron rod due to which he sustained injuries and succumbed to his injuries. On perusal of paragraph nos. 6 and 41 of the case diary it appears that witnesses have supported the prosecution case. Hence, the petitioner does not deserve the privilege of bail.

6. 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.

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

(Rudra Prakash Mishra, J)

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