

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38117 of 2021**

Arising Out of PS. Case No.-268 Year-2020 Thana- GOPALPUR District- Bhagalpur

Rajan Sah @ Ranjan Sah Son of Kailash Sah Resident of Village- Malpur,
P.S.- Gopalpur, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amrendra Kumar

For the Opposite Party/s : Mr.Awadhesh Kumar Singh

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2. 23-09-2021 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in Gopalpur P.S. Case No.268 of 2020, registered for the offence under Section 307 & other allied sections of the Indian Penal Code and later on, Section 302 of the Indian Penal Code was added.

As per the prosecution case, this petitioner is alleged to have assaulted Vikash Kumar on his head by axe, on account of which, he died.

It is submitted on behalf of petitioner that petitioner has been falsely implicated in this case and as per FIR, all other accused persons have also assaulted the deceased. Allegation of assault is general and omnibus. Some of the similarly situated co-accused persons have already been granted bail by this Hon'ble Court. Petitioner is in custody since 21.08.2020.



However, learned A.P.P. for the State opposed the bail petition and submitted that there is direct and specific allegation that this petitioner assaulted the deceased on his head, as a result of which, the deceased died.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioner and same is, accordingly, rejected.

(Prabhat Kumar Singh, J.)

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