

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40012 of 2021

Arising Out of PS. Case No.-90 Year-2020 Thana- DAUDNAGAR District- Aurangabad

SANJAY SINGH Son of Ram Chandra Singh Resident of Village- Bhakharua,
P.S.- Daud Nagar, District- Aurangabad. (Bihar)

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tejendra Sinha

For the Opposite Party/s : Madhuri Lata, Addl Public Prosecutor

for the informant

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 18-11-2021 Heard learned counsel for the petitioner, the State and
the informant.

The petitioner seeks regular bail registered for the offences punishable under sections 379/307/302 and other allied sections of the Indian Penal Code.

As per the prosecution case, while the uncle of the informant was returning to his house, the petitioner stopped and assaulted him due to which he fell down and died during treatment. Petitioner also snatched Rs.50,000/- from him.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. There is no eye witness of the occurrence and the FIR has been lodged after delay of more than five days and there is no



explanation of the delay. Petitioner is in custody since 25.11.2020.

Learned counsel for the State and the informant oppose the prayer for bail. They submit that there is direct allegation against the petitioner that he stopped the informant while he was returning to his house and assaulted him due to which he fell down and died during treatment. Post mortem report also reveals that the deceased died due to head injury caused by hard and blunt substance.

Considering the nature of accusation against the petitioner, his prayer for bail is refused.

(Prabhat Kumar Singh, J)

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