

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58444 of 2021

Arising Out of PS. Case No.-607 Year-2020 Thana- MANER District- Patna

RAM KISHOR RAI @ KAMLU RAI @ KAMAL KISHOR KUMAR Son of
Sri Sirda Rai Resident of Village Brahamchari Pokhara, Police Station -
Maner, District - Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

.. ... Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Ravindra Nath Dubey
For the Opposite Party/s :	Mr.Anita Kumari
For the Informant	Mr. Rudradeo

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 22-06-2022 Heard learned counsel for the petitioner, learned counsel
for the informant and learned APP for the State.

The instant application for anticipatory bail has been
filed by the petitioner apprehending his arrest in connection with
Maner P.S. Case no. 607 of 2020 instituted for the offence
punishable under Section 147, 148, 149, 448, 307, 302, 379, 504
and 506 of the Indian Penal Code.

As per allegation in the FIR, while the informant was
sitting at his door, all named accused persons including the
petitioner came there having variously armed. They caught hold
his brother and thereafter, Kamal Kishore Rai and Upendra Rai
assaulted his brother on his head by means of rod and he
succumbed to injuries in the way to hospital. It is further alleged
that he and his cousin were also assaulted by them and they
snatched gold chain and ear-ring of his sister-in-law.



Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has been falsely implicated in this case. The allegation that the petitioner has assaulted the deceased by iron rod is not supported by the postmortem report.

Learned APP appearing for the State has opposed the prayer of Bail.

Learned counsel for the informant has submitted that it appears from perusal of the case diary, that several prosecution witnesses have supported the prosecution case. Five injuries were sustained by the deceased out of which 1st three are lacerated wounds on head and injury no. 4 and 5 are fracture on parietal and frontal bone. Doctor has opined the cause of death due to hemorrhage and shock caused by ante mortem injury leading to cardio respiratory failure.

Having heard learned counsel for the parties and taking into consideration that petitioner was active participant in the alleged crime leading to death of brother of the informant, I am not inclined to grant bail to the petitioner and, as such, his application for bail is rejected.

(Sunil Kumar Panwar, J)

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