

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56557 of 2022

Arising Out of PS. Case No.-85 Year-2022 Thana- MEHANDIGANJ District- Patna

Kanhai Kumar S/O Rajendra Mahto R/O- Mohalla Loha Kapool, P.S.
Mehdiganj, District Patna

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binay Kumar Singh, Adv.

For the Opposite Party/s : Mr. Ajay Kumar No. 2, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 24-12-2022 Let the defect(s), if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Mehdiganj P.S. Case No. 85 of 2022 lodged under Sections 323,
341, 342, 326, 302/34 of the I.P.C. read with Section 27 of the
Arms Act.

As per the prosecution case, the allegation in the
F.I.R. has been made that the informant's daughter was
kidnapped by his renter, namely, Ankit Kumar but subsequently,
upon the interference of his brother, she returned back.
Subsequently, the said Ankit Kumar alongwith the present
petitioner as well as with 4-5 unknown criminals surrounded
his brother and attacked on him by knife and pistol due to which
his brother visited to the informant and started weeping and

subsequently, they went near *Lohapool* after his treatment. Then the said Ankit Kumar and Kanhai Kumar with knife attacked on his brother, due to which, his brother fell down and subsequently, during treatment died.

Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence. Counsel further submits that as per the contents of the F.I.R., the dispute between the informant is with the accused Ankit Kumar and not with the present petitioner. Counsel further submits that there are 2 criminal cases pending against the petitioner in which he is on bail. Counsel also submits that the petitioner is in custody since 06.06.2022 and charge sheet has already been filed in this case.

Learned counsel for the State opposes the prayer for bail and submits that there is only 2 named accused persons who have not only assaulted but repeated the said assault, due to which the death has been caused.

In the present facts and circumstances of this case and the submissions made above, I am not inclined to grant bail to the petitioner, therefore, his bail application is hereby rejected.

With this observation, the bail application stands rejected.

(Dr. Anshuman, J.)

sadique/-

U		T	
---	--	---	--