

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30826 of 2022

Arising Out of PS. Case No.-377 Year-2021 Thana- NAUBATPUR District- Patna

PRINCE KUMAR, Son of Anil Sharma, Resident of Village-Pali, Police Station-Naubatpur, District-Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar, Advocate

For the Opposite Party/s : Mr.Harendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

4 11-01-2023 Heard learned counsel for the petitioner and the learned APP for the State.

The petitioner seeks bail in connection with Naubatpur P.S. Case No. 377 of 2021 registered for the offence punishable under Section 302 of the Indian Penal Code.

The prosecution story in short is that the informant was sitting in his *Dalan* along with his brother when the petitioner called his brother. It is alleged that thereafter when the petitioner demanded his money from brother of the informant, then the petitioner started abusing him and tried to snatch money from the pocket of the informant's brother and has inflicted multiple stab injuries leading to his death.

Learned counsel for the petitioner submits that it is a case of false implication. The informant is not an eye-witness of the occurrence and based on local village politics and family dispute the petitioner has been implicated leading to his custody since 02.08.2021.

The case diary was earlier requisitioned. Learned APP has assisted the court with reference to the same. The petitioner's aunt



has been examined in the course of investigation, who has supported the allegation. The postmortem report also corroborates the prosecution case and the petitioner has two antecedents.

Considering the rival submissions, the antecedents of the petitioner and the material in the course of investigation, this Court, having regard to the nature of allegations, is not inclined, for the present, to allow the petitioner’s prayer for bail.

Prayer for bail of the petitioner is rejected.

This Court would expect that the petitioner’s counsel would honour his undertaking in the instant proceedings regarding supply of the requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

(Madhuresh Prasad, J)

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