

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48224 of 2023

Arising Out of PS. Case No.-29 Year-2023 Thana- PIPRA District- Patna

AMARJEET KUMAR Son of Vijay Prasad @ Vijay Kumar Singh Resident
of Village-Brahmapur, Kalyan Chowk, P.S.-Pipra, District-Patna

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Krishna Prasad Singh, Sr. Advocate Mr. Anil Kumar Singh, Advocate
For the Opposite Party/s	:	Mr. Kumar Veerendra Narayan, APP
For the informant	:	Mr. Santosh Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 19-09-2023 Heard Mr. Krishna Prasad Singh, learned Senior

Counsel for the petitioner and learned Additional Public

Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
03.04.2023 in connection with Pipra P.S. Case No. 29 of 2023,
F.I.R. dated 16.03.2023 for the offences punishable under
Sections 147, 148, 149, 341, 323, 307, 302 and 504 of the
Indian Penal Code.

3. According to prosecution case, all the accused
persons including the petitioner, armed with deadly weapon,
came to the informant's wife and started abusing the assaulting
her. Amarjeet Kumar gave *Khanti* blow on her head, due to
which she sustained head injury and became unconscious. On
alarm, when the informant and his brother came to save her,



they were also assaulted. They also threatened the informant side of dire consequences. With the help of villagers, all the injured persons were taken to hospital, but the doctor referred them to P.M.C.H. for better treatment, where on 17.03.2023, the informant's wife died during treatment.

4. Learned Senior Counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. It is further submitted that due to land dispute the present occurrence had taken place and there is case and counter case between the parties. He further submits that the informant is not the eye witness of the alleged occurrence. Learned counsel for the petitioner submits that before lodging of the FIR, all the formalities have been done by the prosecution, thereafter, present FIR has been instituted by the informant.

5. The learned counsel for the informant as well as Additional Public Prosecutor, on the other hand, vehemently opposed the prayer for bail of the petitioner and submits that from perusal of the FIR, it appears that there is direct allegation against the petitioner that he has assaulted the victim with the 'Khanti' and the postmortem report also suggests the cause of death due to head injury.



6. Considering the aforesaid fact that there is direct allegation against the petitioner supported by the medical evidence, I am not inclined to enlarge the petitioner on bail in connection with Pipra P.S. Case No. 29 of 2023 pending in the court of learned Judicial Magistrate, Ist, Masaurhi, Patna.

7. Prayer is refused.

(Rajesh Kumar Verma, J)

Prakash Narayan

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