

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64253 of 2023**

Arising Out of PS. Case No.-256 Year-2022 Thana- AWTARNAGAR District- Saran

RAJA KUMAR SAH @ RAJA SAH S/O RAMANAND SAH R/O
VILLAGE- NARAON, P.S- AWATARNAGAR, DISTT.- SARAN AT
CHAPRA.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Udai Shankar Singh, Advocate

For the Opposite Party/s : Mr. Pushpa Sinha, Addl. Public Prosecutor

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 16-10-2023 Heard learned counsel for the petitioner and the
State.

2. Petitioner apprehends arrest in a case registered for
the offence punishable under sections 302, 120 B and 34 and
section 27 of the Arms Act.

3. As per the prosecution case, it is alleged that on
04.11.2022 about 6:30 PM this petitioner along with other FIR
named co-accused persons and two other unknown came at door
of the informant and took informant's son Vijay Sah with them
towards north of High school and at about 7.45 PM there was
a noise that all the three accused were assaulting her son Vijay
Sah and they also fired. On getting information about the



occurrence, informant along with her two sons namely Brajesh Sah and Shrawan Sah went at the field of Ragho Singh north of School and saw in torch light that all the three accused-persons and two unknown persons were fleeing away towards Surya Temple Pond. She saw that her Son Vijay Sith was badly drenched in blood and he collapsed in her presence. She also found firearm injury on his chest and neck. The cause of occurrence is that deceased used to protest the eve teasing by the accused persons .

4. It is submitted that informant is not an eye witness of the alleged occurrence and only on the basis of suspicion this petitioner has been made accused in this case . After investigation police submitted final form in this case.

5. Learned counsel for the State opposes the prayer for bail and submits that this petitioner and other co-accused persons took away the son of the informant and committed the murder of her son . It is further stated that informant saw the petitioner fleeing from spot. The informant in his re-statement vide para 6 and the witnesses vide para 7 and 14 of the case case diary have supported the prosecution case and as per post mortem report, the cause of death has been opined due to



hemorrhage and shock caused by fire arm injury.

6. Considering the nature of accusation and gravity of allegation, prayer for pre-arrest bail of the petitioner is rejected.

(Prabhat Kumar Singh, J)

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