

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70756 of 2023

Arising Out of PS. Case No.-238 Year-2023 Thana- SAUR BAZAR District- Saharsa

Prince Keshav, Son Of Manoj Yadav @ Manoj Kumar Resident Of Village-
Barahi, P.S.- Saur Bazar, Distt- Saharsa,

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Kuldeep Kumar, Adv. Mr. Pawan Kumar, Adv.
For the State	:	Mr. Jagdhar Prasad, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 09-11-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Saur Bazar P.S. Case No. 238 of 2023, lodged on 01.05.2023
under Sections 341, 323, 324, 307, 504 of the Indian Penal Code
and later on section 302 of the Indian Penal Code has been
added.

3. As per the prosecution case, the FIR has been
lodged against the petitioner with an allegation that he has
assaulted his old aged grand father namely Raghunandan Yadav
by a sharp weapon and made repeated blow on his different
parts of the body and also tried to cut his neck with intention to
kill and somehow the wife of Raghunandan Yadav and other



family members have reached and saved him and thereafter, Raghunandan Yadav was admitted to the hospital and subsequently, during the treatment he died.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He also submits that the date of occurrence is 21.04.2023 but the FIR has been lodged on 01.05.2023 i.e. of about 9 days. Counsel further submits that the said delay has not been instant and that delay in lodging the FIR may be resulted into false implication of the petitioner. Counsel also submits that the petitioner has been implicated due to family disputes. Counsel submits that there is no eye-witness in the alleged occurrence and the informant of this case was not present at the place of occurrence and only on the basis of surmise, the petitioner has been made accused in this case.

5. Learned counsel for the petitioner submits that the antecedent of the petitioner is clean and he is in custody since 03.05.2023.

6. Learned APP for the State opposes the prayer for bail of the petitioner and submits that from reading the contents of the FIR, it is very much clear that informant is the father in this case about killing of his father by his son. Counsel also



submits that the unfortunate event took place in the presence of wife of the deceased and other family members were also present. Counsel further submits that it is a unique case.

7. In the present facts and circumstances, this Court is not inclined to grant regular bail to the petitioner.

8. Accordingly, the prayer for regular bail of the petitioner in connection with Saur Bazar P.S. Case No. 238 of 2023, pending before the learned Judicial Magistrate-1st Class, Saharsa is hereby rejected.

(Dr. Anshuman, J.)

Divyansh/-

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

