

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6617 of 2024

Arising Out of PS. Case No.-170 Year-2023 Thana- BEERPUR District- Begusarai

Kailash Sah S/O Aannandi Sah VILLAGE- BIRPUR, WARD NO. 12, PS.
BIRPUR, DIST. BEGUSARAI.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Kumar Sinha, Advocate

For the Opposite Party/s : Ms. Nirmala Kumari, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 18-04-2024

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Birpur P.S. Case no.170 of 2023 registered under sections 307, 379, 147, 149, 341, 232, 504 and 506 of the Indian Penal Code to which section 302 of the Indian Penal Code was added subsequently.

3. As per the prosecution case, the informant states that the fifteen named accused persons including the petitioner herein directed that the informant should not place drill in his newly constructed house. On protest being raised by the informant it is stated that the accused persons came variously armed started to assault the informant and others. It is stated that Rahul Kumar and petitioner assaulted the son of the informant with an iron rod as a result of which he fell down unconscious.



Subsequently he died in course of treatment 13 days later.

4. It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case. There is case and counter case between the parties. The correct version having been mentioned in the FIR lodged by the petitioners side which is Annexure-2 to the petition. The petitioner is in custody since 28.11.2023 and has no criminal antecedent.

5. Heard learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the nature of allegations against the petitioner of petitioner along with one another having assaulted the son of the informant with an iron rod, subsequently leading to his death, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

(Partha Sarthy, J)

Bibhash

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

