

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18404 of 2024

Arising Out of PS. Case No.-72 Year-2023 Thana- KISHANPUR District- Supaul

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Brahmdev Sah S/O Gopali Sah Village- Ward No.-11, Sukhasan, Ps.-
Kisanpur, Distt.- Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Jitendra Sinha, Advocate

For the Opposite Party/s : Mr. Navin Kumar Pandey, APP

For the Informant : Mr. Upendra Prasad, Advocate

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

4 17-05-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Kishanpur P.S. Case No. 72 of 2023 registered for the
offences punishable under Sections 302, 379/34 of the Indian
Penal Code.

3. Prosecution case in short is that accused persons
including the petitioner came at the house of the informant
loaded with *lathi*, *danda* & *farsa* and started abusing the
informant. It if further alleged that on the order of one Gopali



Sah, co-accused, namely, Ranjeet Sah and the petitioner with the intention to kill, attached with the iron rod on Rekha Devi, who ducked down, due to which the iron rod got hit on the head of differently able son of Rekha Devi, namely, Chandan Kumar, as a result of which he died.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case. It is submitted that there is case and counter case between the parties. It is next submitted that doctor who conducted the autopsy of the deceased has not opined about the weapon from which the injury was caused to the deceased. It is lastly submitted that charge sheet has already been submitted in this case.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. It is submitted that there is direct allegation against the petitioner of giving iron blow to the son of Rekha Devi.

6. Considering the rival submissions made by the learned counsel for the parties, there being direct allegation against the petitioner, this court is not inclined to grant anticipatory bail to the petitioner.



7. Accordingly, the prayer for grant of anticipatory bail of the petitioner is hereby **rejected**.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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