

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12818 of 2024

Arising Out of PS. Case No.-557 Year-2023 Thana- SHAHPUR PATORI District- Samastipur

Rahul Kumar @ Rahul Ray Son of Raju Rai Resident of Village -Mohanpur,
Ps -Shahpur Patori Mohanpur Op, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ramakant Singh, Advocate
For the Informant	:	Mr. Lakshmindra Kumar Yadav, Advocate
		Mr. Prabhu Narayan Prabhakar, Advocate
For the Opposite Party/s	:	Dr. Mrityunjaya Kr. Gautam, APP

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

ORAL ORDER

2 01-03-2024 Learned counsel for the petitioner is permitted to make necessary correction in the name of the petitioner during course of the day.

2. Heard learned counsel for the petitioner and learned APP for the State.

3. The petitioner seeks bail in connection with Patory (Mohanpur O.P.) P.S. case No. 557 of 2023 instituted for the offences under Sections 302/34 of the Indian Penal Code.

4. Prosecution case, in short, is that the petitioner was



keeping ill-eye upon the daughter-in-law (deceased) of the informant and in course of it on the alleged date of occurrence he wanted to carry the deceased in the *Chaur* on the point of pistol and an axe. On protest, the petitioner gave axe blow on the head of the deceased, as a result, the daughter-in-law of the informant died on the spot.

5. Learned counsel for the petitioner submitted that the petitioner is innocent and has falsely been implicated in the present case due to dirty village politics. Learned counsel further submitted that the informant is not the eye-witness to the occurrence. It has been submitted on behalf of the petitioner that the petitioner is in custody since 11.09.2023 and has no criminal antecedent.

6. Learned A.P.P. for the State and learned counsel for the informant have vehemently opposed the prayer for grant of bail to the petitioner. Learned counsel for the informant submitted that there is direct and specific allegation against the petitioner of assaulting the daughter-in-law of the informant with an axe.

7. Considering the aforesaid facts and circumstances of the case, nature and gravity of offence and direct allegation against the petitioner of assaulting the deceased, this Court is



not inclined to grant bail to the petitioner.

8. Prayer is rejected.

(Rudra Prakash Mishra, J)

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