

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20069 of 2024

Arising Out of PS. Case No.-261 Year-2023 Thana- UCHKAGAON District- Gopalganj

Ajay Sha Son Of Fulena Sah Resident Of Village- Shyampur Noniya Tola, Ps-
Uchkagwon, Distt- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Singh, Adv.

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 08-05-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Uchkagwon P.S. Case No. 261 of 2023, lodged on 13.07.2023
under Sections 341, 323, 307, 302, 504, 506, 34 of the Indian
Penal Code.

3. As per the prosecution case, the FIR has been
lodged against 5 named (including the petitioner) and 4-5
unknown accused persons. The allegation against the petitioner
is that he has assaulted the informant's husband on his head by
iron dab (type of weapon). The allegation against other accused
persons is that they have also assaulted the informant's husband
due to which he fell down and subsequently, died.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has committed no offence. Counsel also submits that the criminal antecedent of the petitioner is clean and he is in custody since 14.09.2023. Counsel further submits that the petitioner is basically victim at the hands of the informant and his family. Counsel submits that the nephew of the petitioner was kidnapped by the son of the informant for which the petitioner has lodged a criminal case bearing Uchkagwon P.S. Case No.186 of 2023 dated 01.06.2023. Counsel further submits that the petitioner has visited at the house of the informant to get information about his nephew and then, hot discussion took place and in the frustrated stage of mind, scuffling took place which resulted into death of the informant's husband.

5. Learned counsel for the petitioner further submits that the petitioner is basically not a criminal. Counsel also submits that as per his knowledge, charge has not been framed in this case, but charge-sheet has been submitted.

6. Learned APP for the State opposes the prayer for bail of the petitioner and submits that whatever be the situation is, there is a direct allegation against the present petitioner.

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 Uchkagwon P.S. Case No. 261 of 2023, pending before the learned Additional Chief Judicial Magistrate-IX, Gopalganj is **hereby rejected**.

9. Liberty is hereby granted to the petitioner that he may renew his prayer for bail one year after framing of charge.

(Dr. Anshuman, J.)

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