

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21226 of 2024

Arising Out of PS. Case No.-275 Year-2023 Thana- JANDAHA District- Vaishali

PAPPU KUMAR SAHNI SON OF VISHNU SAHNI RESIDENT OF
VILLAGE - SHIV RAMA, P.S. - PATORI, DISTRICT - SAMASTIPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. D. K. Sinha, Sr. Adv.
		Mr. Rajesh Kumar, Adv.
For the Opposite Party/s	:	Mr. J. N. Thakur, APP

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

3 02-07-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in a case registered for the
offence punishable under Section-302 of the Indian Penal Code.

3. As per FIR, the deceased was a night guard in
Samta College, Jandaha. The petitioner was also a night guard
in that college. Since the petitioner usually came late, the
deceased used to protest. A quarrel always used to take place
between them. In the night of occurrence, the petitioner asked
the son of the deceased that his father was not opening the gate
of the college. Thereafter, son of the informant went there and at
his instance, the gate of the college was opened. Thereafter, son
of the deceased returned to his house. In the next morning, the



petitioner went to the house of the deceased and he informed his family members that the condition of the deceased is not good. Thereafter, his family members went there and saw the dead body of the deceased. They noticed the injury on the head of the deceased and blood was oozing from his head.

4. Learned counsel for the petitioner has submitted that except the confessional statement of the petitioner, there is nothing against him in the entire case diary. Further submission of learned counsel for the petitioner is that the confessional statement has no evidentiary value in the eye of law. It has next been submitted that there is no eye witness to the occurrence as such, the occurrence cannot be connected with the petitioner.

5. On the otherhand, Mr. J. N. Thakur, learned APP opposed the prayer for bail and submitted that in the night of occurrence, a quarrel had taken place between the deceased and the petitioner and on the next day, the dead body of the deceased was found in the injured condition having injuries on the head of the deceased and blood was oozing therefrom.

6. The postmortem report shows that one lacerated wound on backside of the head of the deceased 4 cm long x 1 cm width bone deep was found and fracture on occipital bone was also found, which shows that he was brutally assaulted.



7. The evidences and circumstances shows that the petitioner had differences and quarrel with the deceased just before the occurrence. He has also furnished his self-inculpatory confessional statement furnishing vivid description of the entire occurrence.

8. In my view, it is not a fit case for grant of bail.

9. Accordingly, prayer for bail of the petitioner in connection with Jandaha P.S. Case No. 275 of 2023 is rejected.

(Nawneet Kumar Pandey, J)

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