

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26886 of 2024

Arising Out of PS. Case No.-105 Year-2020 Thana- BOCHAHAN District- Muzaffarpur

Laxman Das S/o Late Rajdeo Das Resident of Village- Gharbhara, P.S.-
Bochahan, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar

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

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 21-06-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Bochahan P.S. Case No. 105 of 2020 instituted for the offence under Sections 302, 307, 326, 147, 149, 504, 506 of the Indian Penal Code and Sections 3, 4, 5 of Witchcraft Act.

3. As per allegation in the FIR, it is alleged that the petitioner along with co-accused persons by forming unlawful assembly brutally assaulted the informant as well as his mother due to which, mother of the informant died.

4. Learned counsel for the petitioner submits that the petitioner is innocent and committed no offence. Both parties are neighbours and due to previous enmity, the petitioner has



falsely been implicated in this case.

5. Learned APP appearing for the state has opposed the prayer of bail and submitted that the petitioner is named in the FIR who along with co-accused Shyam Sundar Das is alleged to have assaulted the mother of the informant by means of *lathi* due to which she became unconscious and succumbed to injury. As per postmortem report, doctor opined the cause of death is due to haemorrhage and comma as a result of head injury caused by hard and blunt substance. It is further submitted that the witnesses have supported the prosecution case.

6. Having heard the learned counsel for the parties and considering the nature of allegation, this court is not inclined to enlarge the petitioner on anticipatory bail and, as such, his prayer for bail stands rejected.

7. The petitioner is directed to surrender before learned Court below.

(Sunil Kumar Panwar, J)

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