

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44031 of 2024

Arising Out of PS. Case No.-337 Year-2023 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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Shivam Kumar SON OF NAWL KISHOR ROY @ NAWAL RAY @
BANDHU RESIDENT OF VILLAGE - VASUDEVPUR (KORAIA) WARD
NO.-11, P.S. - MUFFASIL, DISTRICT - BEGUSARAI

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Braj Bhusan Poddar, Adv.

For the Opposite Party/s : Mr. Anil Kumar Singh No. 1, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 22-11-2024 Heard the parties.

2. The petitioner apprehends his arrest in connection with Mufassil P.S. Case No. 337 of 2023 for the offence registered under sections 341, 323, 325, 307, 504, 427, 379 of the IPC and newly added section 302 and 34 of the IPC lodged on 10.06.2023 by the informant Nitish Kumar.

3. As per the prosecution story, the informant (since deceased) alleged that he was in front of his house when the accused persons named in the FIR including the petitioner came and were creating nuisance. It was objected by him whereafter, allegation is that the accused persons assaulted him. The allegation against this petitioner is of using 'khanti' to assault on his hand and legs, both of which became fractured.



4. The assault on other accused persons are also there.
From the record, it is clear that the informant subsequently, succumbed to the injuries.

5. Learned counsel for the petitioner tried to justify his case submitting that the police submitted final form in the matter, learned APP, on the other hand submits that specific allegation has been made by the informant who ultimately succumbed to the injuries.

6. Attributing allegation against this petitioner whose assault led to fracture of his hand and legs and became one of the reason for his ultimate death. In that background, no relief can be granted to him as this is a case of anticipatory bail.

Accordingly, the bail petition stands rejected.

(Rajiv Roy, J)

Vijay Singh/-

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