

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41568 of 2024**

Arising Out of PS. Case No.-248 Year-2023 Thana- NAANPUR District- Sitamarhi

Ravindra Sah @ Ravindra Kumar, aged about 23 years, Gender-Male, Son of Shivjee Sah, Resident of Village- Raipur, P.S.- Nanpur, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Kumar, Advocate
For the Opposite Party/s : Ms. Veena Kumari Jaiswal, APP
For the Informant : Mr. Vikash Kumar Jha, Advocate

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

2 16-07-2024 Heard learned counsel for the petitioner, learned
APP for the State and learned counsel for the informant.

2. The petitioner apprehends his arrest in connection with Nanpur P.S. Case No. 248 of 2023 instituted for the offences punishable under Sections 302/34 of the Indian Penal Code.

3. As the prosecution case, all the accused persons including the petitioner assaulted the younger son of the informant by means of *lathi* and *rod* causing injury to him and during treatment he died.

4. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case due to dirty village politics. He further submits that the



prosecution story is false, concocted and baseless. He next submits that the informant and the petitioner is residence of the same village and there was dispute between them from before and due to that the petitioner has been implicated in this case. He submits that the date of occurrence was 25.05.2023 and the case was lodged on 30.05.2023, after a delay of about five days but there is no plausible explanation in this regard. Petitioner has got clean antecedent as stated in para 3 of the petition.

5. Learned APP for the State and learned counsel for the informant vehemently opposed the prayer for bail and submit that the witnesses during course of investigation in the case diary at para nos. 4, 9, 13, 14, 15 have fully supported the case of the prosecution. The senior police officer in the case diary of para 43 has found the case true against the petitioner under sections 302/34 of the Indian penal Code.

6. From perusal of the FIR and also perused the impugned order dated 04.05.2024 passed by the learned Sessions Judge, Sitamarhi, it appears that petitioner being named in the FIR having allegation of committing murder of son of the informant namely, Najare Alam @ Fulbabu fully supported by the witnesses during course of investigation as well as the postmortem report in which cause of death of the



deceased was due to haemorrhage and shock as a result of injuries sustained by the deceased caused by hard and blunt substance and investigation against the petitioner is still going on.

7. Considering the aforesaid facts and circumstances, serious and grievous nature of offence and complicity of the petitioner in the alleged commission of offence, I am not inclined to grant bail to the petitioner.

8. Accordingly, the application stands dismissed.

(Ramesh Chand Malviya, J)

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