

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42487 of 2024

Arising Out of PS. Case No.-181 Year-2022 Thana- JAYNAGAR District- Madhubani

1. Chandan Kumar Singh @ Chandan Singh son of Sanjay Singh @ Sanjay Kumar Singh Village- Silanath Ps- Jaynagar Dist- Madhubani
2. Govind Singh @ Govind Kumar Singh son of Sanjay Singh @ Sanjay Kumar Singh Village- Silanath Ps- Jaynagar Dist- Madhubani

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gagan Deo Yadav, Adv

Mr. Ravi Prakash, Adv

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

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 27-09-2024 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Jaynagar P.S Case No. 181/2022 dated 13.06.2022 registered for the offence punishable u/s 341, 323, 307 and 506 read with 34 of the Indian Penal Code, later 302 of the Indian Penal Code was added dated 04.07.2022.

3. As per the prosecution case, on 12.06.2022, the informant's grandson went to Mehbari to attend the feast but he did not return. On search, it came to notice that he is admitted in clinic. When the informant reached there, he found his grandson severely injured. It is further alleged that the petitioners and the



co-accused persons along with 8-10 unknown persons assaulted his grandson and threw his body. Further, it is alleged that earlier on 01.06.2022 accused persons also assaulted him and threatened to kill him.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. There is general and omnibus allegation against the petitioners. Learned counsel has submitted that the informant has alleged that earlier on 01.06.2022 the petitioner and other 8-10 unknown miscreants assaulted his grandson but from perusal of the FIR in connection with Jaynagar P.S. Case No. 166 of 2022, it appears that the petitioners are not named in the FIR and the specific allegation is against the co-accused. The other co-accused person has already been granted regular bail by this court *vide* order dated 27.04.2023 passed in Cr. Misc. No. 3298/2023. The petitioners have no criminal antecedent as stated in para 3 of the bail petition.

5. Learned A.P.P. for the State has vehemently opposed the prayer of anticipatory bail of the petitioners. As per the post-mortem report, the cause of death is due to intracranial haemorrhage, compression and shock caused by hard and blunt substance. As per para. 44, 45 and 46 of the case diary, the



petitioners and the co-accused persons along with 7-8 unknown miscreants was seen assaulting the informant's grandson.

6. Considering the aforesaid facts and circumstances and the heinous nature of allegation against the petitioners, I am of the view that no case for grant of anticipatory bail is made out. The petition is rejected and the petitioners are directed to surrender to the Court below within six weeks from the date of this order and the Court below may consider the prayer of the bail of the petitioners in accordance with law without being prejudice by this order.

(Chandra Prakash Singh, J)

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