

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43688 of 2024

Arising Out of PS. Case No.-8 Year-2024 Thana- SASARAM MUFFSIL District- Rohtas

Dhanjee Singh Son Of Late Hari Prasad Singh R/O Village- Dhuwa, P.S.-
Sasaram, (M), District- Rohtas

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Siddharth Harsh, Advocate

For the Opposite Party/s : Mr. Nawal Kishore Prasad, APP

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

ORAL ORDER

3 18-09-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody in a case registered for
the offence punishable under Sections 302/34 of the Indian
Penal Code.

3. As per allegation in the FIR, some unknown
persons assaulted the father of the informant by axe as a result
of which, the deceased succumbed to his injuries.

4. Learned counsel for the petitioner submits that
petitioner has falsely been implicated in this case. He next
submits that the informant/petitioner has been made an accused
during investigation only on the basis of statement of the uncle
of the petitioner who had enmity with the petitioner. Petitioner



has got clean antecedent as stated in para-3 of the petition and he is in custody since 04.03.2024.

5. Learned APP for the State opposes the prayer for bail of the petitioner.

6. On perusal of the first information report, postmortem report of the deceased and impugned order dated 13.05.2024, it appears that the witness Harendra Singh in para-24 of the case diary, he had seen the petitioner running from the field from where the deceased was found lying on the ground and thereafter petitioner was arrested and petitioner confessed his guilt and on the basis of confessional statement, one axe(*tangi*) used to assault the deceased which was recovered at the instance of the present petitioner. Other witnesses have also supported the fact during investigation, the petitioner had dispute with regard to land and money of the deceased, so considering all aspects of the case, I am not inclined to grant bail to the petitioner.

7. Accordingly, the prayer for bail of the petitioner is hereby rejected.

(Ramesh Chand Malviya, J)

Brajesh Kumar/-

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