

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46599 of 2024**

Arising Out of PS. Case No.-120 Year-2024 Thana- KURTHA District- Jehanabad

SUDHIR KUMAR SON OF BIGAN PANDIT VILLAGE- PIRHI, P.S.-
KURTHA, DISTT.- ARWAL

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chandra Mohan Jha, Advocate
For the Opposite Party/s : Mr. Anil Kumar Singh No. 1, APP
For the informant : Mr. Umesh Kumar , Advocate

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

4 07-10-2024 Heard learned counsel for the petitioner, informant
and the State .

2. Petitioner apprehends arrest in a case registered for
the offence punishable under sections 302, 201 and 34 of the
IPC .

3 . As per prosecution case , when the son of the
informant, namely Sintu Kumar, aged about 6 years, had gone to
attend the Tilak Ceremony at the house of co-villager Birendra
Kumar, and when he did not return till late night, then the
informant started searching, and during course of search, some
sound had been heard from the grove of bamboo situated in the
southern direction of his village . When informant reached there
he saw that this petitioner along with other co-accused persons,



were murmuring and on seeing informant party, all the accused persons fled away from there, but some of the co-accused persons, Nagesh Kmar, Jairam Sharma, Dhiraj Kumar, and Pankaj Kumar were caught with the help of co-villagers. It is further alleged that the dead body of the informant's son, Sintu Kumar, was found lying in the said grove of bamboo, and a piece of cloth was found on the neck of the deceased, and a black spot has also been found in the neck, and the entire right ear was found cut and blood was oozing. The apprehended co-accused were handed over to the police by the co-villagers.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case only on the basis of suspicion . As a matter of fact, some of innocent persons along with this petitioner were caught by some persons who were co-villager of informant and they brutally assaulted them, as a result of which two persons died during course of treatment. Petitioner has no concern with the alleged occurrence . Petitioner claims clean antecedent.

5 . Learned counsel for the State as well as informant opposes the prayer for bail and submits that there is specific allegation against this petitioner is that he along with other co-accused persons committed murder of son of informant.



Informant has identified and named this petitioner and was present on the place of occurrence .

6. Considering the nature of accusation and gravity of offence , prayer for pre-arrest bail of the petitioner is rejected.

(Prabhat Kumar Singh, J)

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