

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47524 of 2024

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

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Samal Das @ Subol Das Son of Jadu Das @ Jaddu Das Resident of Vill-
Raipur @ Ward No. -12 Kauria Raipur, P.S.- Nanpur, District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Santosh Kumar, Adv
For the Opposite Party/s : Mr.Choubey Jawahar, APP

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

ORAL ORDER

4 11-12-2024 Heard learned Counsel for the petitioner and

Learned APP for the State.

2. The petitioner seeks bail in connection with Nanpur
P.S. Case No. 248/2023 instituted for the offences punishable
under Section 302/34 of the Indian Penal code.

3. As per the prosecution case, F.I.R. has been lodged
against six named accused persons against whom there is an
allegation that they have brutally assaulted the son of the
informant by means of *lathi* , *Danda* and rod which resulted into
his death.

4. Learned counsel for the petitioner submits that
petitioner has falsely been implicated in this case. He further
submits that he has clean antecedent. He further submits that



petitioner is not named in the F.I.R. whereas mistakenly his brother Vikram Das son of Jaddu Das has been named.

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

6. From perusal of the F.I.R., and paragraph 33 of the case diary it appears that mistakenly name of the petitioner's has not been inserted whereas in his place name of his brother Vikram Das has been inserted.

7. Considering the aforesaid facts and circumstances of the case and the serious allegations levelled against the petitioner, this Court is not inclined to grant anticipatory bail to the petitioner. However, the bail application of the petitioner is hereby rejected.

(Ramesh Chand Malviya, J)

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