

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49935 of 2024

Arising Out of PS. Case No.-432 Year-2022 Thana- DINARA District- Rohtas

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RAMA KANT SAH SON OF LATE HALKHORI SAH R/O- VILLAGE-
DAIDAHAN, P.S.- DINARA, DISTT.- ROHTAS AT SASARAM

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar Pathak, Adv.

For the Opposite Party/s : Mr. Jitendra Kumar Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

4 26-09-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Dinara P.S. Case No. 432 of 2022 dated 20.11.2022 registered for the offences punishable u/s 302 read with Section 34 of the Indian Penal Code and under Section 27 of the Arms Act.

3. As per the prosecution case, the petitioner and the co-accused persons are alleged to have surrounded the father of the informant and the petitioner, Ramakant Sah fired two rounds from his pistol on the chest of his father due to which he fell down from his motorcycle and the mother of the informant anyhow managed a Maruti Car and took him to Kochas Hospital



where the informant's father was declared dead.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case due to Panchayat election as the deceased was defeated by the petitioner. The name of the petitioner has transpired in this case merely on suspicion. There is delay of 24 hours in lodging the FIR and there is no explanation for this delay. It is submitted that the informant and his mother are not the eye witness to the alleged occurrence. The charge-sheet has already been submitted against the petitioner. The petitioner has two criminal antecedents in which he is on bail as stated in paragraph no. 3 of the bail petition. The petitioner is an elected Mukhiya of the Panchayat and he is in custody in this case since 21.11.2022.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner and has further submitted that there is specific allegation of firing against the petitioner, Ramakant Sah. From CCTV footage, the informant and his mother have identified the petitioner as both were the eye-witness of the alleged occurrence. During investigation several witnesses have supported the prosecution case.



6. Considering the aforesaid facts and circumstances of the case as well as the seriousness of allegation, this Court is not inclined to grant bail to the petitioner and the same is rejected in connection with Dinara P.S. Case No. 432 of 2022, pending in the court of learned Additional Sessions Judge-IX, Rohtas at Sasaram.

7. The application stands rejected.

(Chandra Prakash Singh, J)

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