

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52973 of 2024

Arising Out of PS. Case No.-375 Year-2022 Thana- SIKARPUR District- West Champaran

1. Raj Kishor Sah son of Ramji Sah VILLAGE- KUNDILPUR BARGAJWA, PS- SHIKARPUR, DIST- WEST CHAMPARAN
2. Ramji Sah son of Nathuni Sah VILLAGE- KUNDILPUR BARGAJWA, PS- SHIKARPUR, DIST- WEST CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Gupta, Advocate

For the Opposite Party/s : Mr. Ram Naresh Ray, A.P.P.

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 26-07-2024 The present petition is by way of third attempt at the behest of the petitioners for grant of bail in connection with Session Trial No. 982 of 2022, C.I.S. No. 712/2022, arising out of Sikarpur P.S. Case No. 375 of 2022, registered for the offence punishable under Sections 325, 307, 302, 379/34, inasmuch as the earlier petitions filed by the petitioners for grant of regular bail, have all been rejected by this Court.

2. The case of the prosecution in brief, according to the informant, is that on 07.05.2022 at about 11:00 in the day time, when the father of the informant was doing some work in the lane, then



the petitioners herein along with other co-accused persons had arrived there, variously armed, whereafter they had abused the father of the informant and the petitioners had inflicted lathi (stick) blow on the head of the father of the informant, resulting in the father of the informant sustaining serious injuries. The accused persons are also alleged to have assaulted the mother of the informant and other family members, resulting in them having been grievously injured.

3. The learned counsel for the petitioners submits that the petitioners are languishing in custody since 08.05.2022 and one co-accused person has already been granted the privilege of bail, hence a sympathetic view be taken and the petitioners be granted the privilege of bail.

4. *Per contra*, the learned A.P.P. for the State has vehemently opposed the prayer for bail and has submitted that on earlier occasions, this Court had examined the materials on record and had also perused the order passed by the Trial Court at that moment of time i.e. the one dated 13.01.2023 and had come to a conclusion that the complicity of the



petitioners in the alleged occurrence is writ large and with malafide intention, the petitioners have killed the father of the informant, who had sustained multiple injuries, as is apparent from the postmortem report, leading to his death.

5. Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioners and taking into account the materials available on record as also considering the fact that the complicity of the petitioners in the alleged occurrence is writ large, inasmuch as with malafide intention, the petitioners had killed the father of the informant, who had sustained multiple injuries apart from the fact that there is no change in circumstance so as to warrant re-consideration of the prayer of the petitioners for grant of regular bail, I do not find any merit in the present petition, thus the same stands dismissed.

(Mohit Kumar Shah, J)

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