

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56477 of 2024

Arising Out of PS. Case No.-597 Year-2022 Thana- MAHUA District- Vaishali

Munna Kumar son of Pappu Kumar Singh Village- Gauspur Chakmajahid Ps-
Mahua Dist- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar

For the Opposite Party/s : Mr.Amitesh Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 04-10-2024 Heard learned counsel for the petitioner, informant
and learned Additional Public Prosecutor for the State.

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

3. Allegedly, all the FIR named accused persons including the petitioner are said to have abused and assaulted the informant's son brutally with deadly weapons due to which he died during the course of treatment.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case due to village politics. He submits that name given by the deceased to the informant is not generally possible because if the son of the informant is able to speak then he must have stated his father at the place of occurrence itself but the



deceased has not stated anything to his father from the place of occurrence to Sadar Hospital about the involvement of accused persons. He submits that similarly situated co-accused has already been granted bail by this Court vide order dated 05.03.2024 passed in Cr. Misc. No. 73242 of 2023. He further submits that petitioner has no criminal antecedent as stated in para-3 of the bail application.

5. Learned APP for the State as well as the informant oppose the prayer for bail and submit that the deceased stated the name of the accused to his father before his death. They further submit that the petitioner along with other accused persons assaulted the informant's son and to have inflicted knife blow on the neck of the deceased.

6. Considering the nature of offence, I am not inclined to enlarge the petitioner on bail. Accordingly, his prayer for anticipatory bail is rejected in connection with Mahua P.S. Case No. 597 of 2022.

7. However, if the petitioner surrenders before the learned court below within a period of six weeks from today and prays for regular bail, the same shall be considered by the learned court below on the same day without being prejudiced by this order considering the fact that there is no specific overt



act against the petitioner, petitioner is a student and he has no criminal antecedent. Learned court below will also consider the fact that the informant has not disclosed the name of the petitioner.

(Anjani Kumar Sharan, J)

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