

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63710 of 2024

Arising Out of PS. Case No.-298 Year-2023 Thana- KHAGARIA District- Khagaria

Pramod Chaudhary S/O Late Janardan Chaudhary R/O Village- Dighaun, P.S-
Beldaur, District- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amar Kumar Singh

For the Opposite Party/s : Mr.Anil Kumar

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

3 03-12-2024 Heard Mr. Amar Kumar Singh, learned counsel for
the petitioner and the State.

2. The petitioner is in judicial custody in connection with Khagaria (Chitraguptanagar) P.S. Case No. 298 of 2023 for the offences punishable under Section 302 of the IPC, lodged on 21.03.2023 by the informant, Dharmendra Kumar.

3. As per the prosecution story, the informant who is the Jail Superintendent, Khagaria submitted a written report alleging that Pramod Chaudhary (petitioner herein) who was in the jail from earlier, entered the barrack of one Rajan Kumar and brutally assaulted after which, Rajan Kumar became unconscious, upon the alarm of the other undertrials, he was immediately taken out and shifted to Sadar Hospital, Khagaria where he succumbed to his injuries, which led to the FIR.



4. Though, learned counsel for the petitioner tried to impress upon this Court about the innocence of the petitioner submitting that the final opinion has not been given in the medical report, learned APP points out that it is an open and shut case where inside a sealed premises where both the petitioner and deceased were present, allegation is that, he entered the barrack of the Rajan Kumar, assaulted, was taken to Sadar Hospital, Khagaria where he succumbed to the injuries.

5. This is not a fit case in which bail can be granted to the petitioner. It is accordingly, rejected.

(Rajiv Roy, J)

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