

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.69621 of 2024**

Arising Out of PS. Case No.-297 Year-2022 Thana- TARIYANI CHOWK District- Sheohar

Laxmi Sah Son of Rajnarayan Sah Resident of village- Ghusukpur, PS-  
Tariyani, District- Sheohar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                            |                                   |
|----------------------------|-----------------------------------|
| For the Petitioner/s :     | Mr. Abhay Shanker Singh, Advocate |
| For the Opposite Party/s : | Mr. Harendra Prasad, APP          |
| For the Informant :        | Mr. Uday Kumar, Advocate          |

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH  
MISHRA**

ORAL ORDER

3      09-12-2024                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner seeks bail in connection with Tariyani  
P.S. Case No. 297 of 2022 instituted for the offences under  
Sections 302/34 of the Indian Penal Code and Section 27 of the  
Arms Act.

3. Allegation against the petitioner is that he has  
committed the murder of the informant's son.

4. Learned counsel for the petitioner submitted that the  
petitioner has falsely been implicated in the present case.  
Learned counsel further submitted that there is a delay of one  
day in lodging the FIR without plausible explanation, which in  
itself, raises doubt over the prosecution story. Learned counsel  
further submitted that, as a matter of fact, this petitioner himself



brought the injured deceased to his home and requested his father to rush for his immediate treatment which is evident from the FIR itself. Learned counsel further submitted that petitioner had no intention to kill the deceased, as a matter of fact, the deceased died accidentally due to the gunshot injury from the country-made pistol. It has been submitted on behalf of the petitioner that the petitioner is in custody since 23.04.2024 and has no criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. Learned APP further submitted that all the witnesses have supported the case of the prosecution that this petitioner committed the murder of the deceased.

6. Considering the aforesaid facts and circumstances of the case, nature and gravity of offence, this Court is not inclined to grant bail to the petitioner.

7. Accordingly, the prayer for grant of bail to the petitioner is rejected.

**(Rudra Prakash Mishra, J)**

Alok Verma/-

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