

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71786 of 2023

Arising Out of PS. Case No.-348 Year-2022 Thana- SALAKHUA District- Saharsa

Sosil Das @ Sushil Das @ Shoshil Das Son Of Sukan Das @ Sukan Sharma
Resident Of Village - Basudeva, Ward No.11, P.S. - Bangaon, District -
Saharsa

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Amarnath Jha, Advocate

For the Opposite Party : Mr.Md. Ataur Rahman, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

- 3 29-02-2024 Heard learned counsel for the petitioner and the State.
2. Petitioner apprehends arrest in a case registered for the offence punishable under section 304 of the Indian Penal Code.
3. As per the prosecution case, petitioner assaulted the brother of the informant with lathi causing him head injury. Brother of the informant died during course of treatment.
4. Learned counsel appearing for the petitioner submits that as a matter of fact victim was chronic patient of brain tumor and he died during treatment after about four months of the alleged injury, as such, he might have died due to brain tumor. Moreover, there is old enmity and land dispute between the parties. Petitioner claims clean antecedent.
5. Learned counsel for the State opposes the prayer



for bail. He submits that there is specific allegation against the petitioner that he assaulted the victim on his head by lathi as a result of which he died during treatment.

6. Considering the nature and gravity of allegation, prayer for bail of the petitioner is rejected.

(Prabhat Kumar Singh, J)

Shashi

U		T	
---	--	---	--

