

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75794 of 2024

Arising Out of PS. Case No.-275 Year-2024 Thana- KOILWAR District- Bhojpur

1. Ram Awadhesh Singh @ Awadhesh Singh S/o Late Raghunandan Singh R/o Village- Purana Haripur, P.S.- Koilwar, District- Bhojpur
2. Akshay Kumar S/o Avadhesh Singh R/o Village- Purana Haripur, P.S.- Koilwar, District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gopal Govind Mishra, Adv.

For the Opposite Party/s : Mr.Aditya Narayan Singh.1, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 11-11-2024 Heard Learned Counsel for the petitioners and
Learned APP for the State.

2. The petitioners are apprehending arrest in a case registered for the offences punishable in connection with Koilwar P.S. Case No.275 of 2024 under Sections 302 and 34 of the Indian Penal Code.

3. As per the prosecution, the FIR has been lodged against the petitioners with allegation that they have assaulted the daughter of the informant due to which she died on spot.

4. Learned Counsel for the petitioners submits that the petitioners are innocent and have committed no offence. He submits that the it is true that death of the informant's daughter



has taken place, but it is not due to attack by the petitioners rather it is mere an accident as she fell down from the hand of the informant's side itself. He further submits that both the informant and petitioners are resident of same village and for a petty land dispute, the scuffling took place due to which this unfortunate incident took place.

5. Counsel also submits that antecedent of the petitioners is clean and there is a case and counter-case in this matter.

6. Learned Counsel for the informant vehemently opposes the prayer for bail and submits that it is true that there is a case and counter-case, but it is also true that injury took place from both side and death has been caused to the informant's side.

7. Learned APP for the State opposes the prayer for bail and submits that it is a fit case for regular bail and not for anticipatory bail.

8. In the present facts and circumstances, this Court is not inclined to grant anticipatory bail to the petitioners, therefore the bail application of the petitioners is hereby rejected.

9. However, Trial Court is directed to consider the



regular bail application of the petitioners, if they surrender and pray for regular bail without being prejudice of the present order preferably on the same day.

(Dr. Anshuman, J.)

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