

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79169 of 2024

Arising Out of PS. Case No.-222 Year-2024 Thana- BARH District- Patna

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Pankaj Ram @ Pankaj Kumar S/O Shankar Ram @ Shankar Singh @
Shankar R/O Village- Pashchimi Malahi, P.S- Barh, District- Patna. At present
R/O Village- Sharifaganj, P.S- Patnacity, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Suraj Kumar, Advocate
		Ms. Sandhya Kumari, Advocate
For the Opposite Party/s	:	Ms. Gulnar Begum, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 26-11-2024

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of anticipatory bail apprehending his arrest in connection with Barh P.S. Case no.222 of 2024, registered under section 302 of the Indian Penal Code.

3. As per the prosecution case, the informant states that as a result of dispute between his brother and his brother's son ie the petitioner herein, the informant's brother was assaulted, seriously injured and on being taken to the hospital was declared dead.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case. There was



some family dispute between the parties, however the manner of occurrence is not as has been alleged in the FIR. It was in a drunken state that the deceased fell and injured his head leading to serious injuries and subsequent death. The petitioner, who happens to be the son of the deceased, has no criminal antecedent and it is in fact the mother of the petitioner ie the wife of the deceased, who has sworn the affidavit in this application for anticipatory bail.

5. The application for anticipatory bail is opposed by learned A.P.P for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegations against the petitioner in the F.I.R together with the contents of the order of the learned trial Court wherein the alleged assault is said to have taken place with the handle of a *chapakal*, the allegations of assault leading to death of the deceased (father of the petitioner) being on the petitioner, the Court is not inclined to enlarge the petitioner on anticipatory bail and the application is rejected.

7. The petitioner is directed to surrender in the learned Court below within a period of four weeks.

8. In case the petitioner so surrenders within the aforesaid period and prays for regular bail, the same shall be



considered on its own merit without being prejudiced by this
order of rejection.

(Partha Sarthy, J)

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