

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.961 of 2024

Arising Out of PS. Case No.-170 Year-2023 Thana- BEERPUR District- Begusarai

Rahul Kumar SON OF Ramashish Sah Village- Birpur West, Ward No. 12,
Police Station- Birpur, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Baxi S.R.P.Sinha, Sr. Advocate
Mr. Raj Kumar Sinha, Advocate
For the Opposite Party/s : Mr. Jharkhandi Upadhyay, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 21-03-2024

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Birpur P.S. Case no.170 of 2023 registered under sections 302, 307, 147, 149, 341, 323, 379, 504 and 506 of the Indian Penal Code.

3. As per the prosecution case, the fifteen accused persons are said to have come variously armed. It is stated that the petitioner and one Kailash Sah armed with iron rod assaulted the son of the informant namely Avnish Kumar who subsequently died.

4. It is submitted by learned Senior counsel for the petitioner that the petitioner has been falsely implicated in the case. There is allegation of assault by two accused persons but



there is only one injury on the body of the deceased. The petitioner is innocent. He is in custody since 28.11.2023 and has no criminal antecedent. Chargesheet has been submitted in the case.

5. Heard learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegation of assault in the FIR being against the petitioner and Kailash Sah leading to the death of the injured Avnish Kumar who sustained two injuries of which one was a head injury dangerous to life, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

7. Learned trial Court is directed to expedite the trial.

(Partha Sarthy, J)

Bibhash

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

