

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5040 of 2025

Arising Out of PS. Case No.-85 Year-2024 Thana- PURNAHYA District- Sheohar

Varun Kumar Singh S/O Ram Sogarath Singh R/O Vill.- Chiraiya P.S-
Purnahiya Dist- Sheohar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anuj Kumar, Advocate
For the Opposite Party/s : Mr.Umesh Lal Verma, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 17-03-2025 1. Heard learned Counsel for the petitioner and
learned APP for the State.
2. This application, for grant of anticipatory bail,
arises out of Purnahiya PS case no. 85 of 2024 dated
21.08.2024, disclosing offences punishable under Sections
103(1) and 3(5) of B.N.S. Act.
3. The prosecution story, as per the First Information
Report, is that petitioner along with other co-accused were
planting banana tree in the field of informant and when the
informant and his father objected, they were abused and
assaulted by all accused persons. Co-accused Shailendra Kumar
assaulted informant's father by means of spade hitting on the
back side of his head and neck, due to which, he fell down on
the ground and became unconscious. As far as petitioner is



concerned, it is alleged that when the informant intervened to save his father, petitioner gave him knife blow on his temple with an intention to kill him causing injury. It is further alleged that inspite of the fact that informant's father having been seriously injured, petitioner and co-accused Arun Kumar Singh assaulted him at this chest with their legs, as a result of which, informant's father died subsequently.

4. Learned Counsel for the petitioner submits that petitioner has not committed any offence in the manner alleged and allegation of assaulting informant's father by means of leg is general and omnibus. Referring to postmortem report, learned counsel submits that doctor has not found any external or internal injury on the body of deceased. The petitioner is stated to be having clean antecedent.

5. Learned APP for the State has vehemently opposed the prayer for anticipatory bail and submits that from the F.I.R. itself, it is apparent that due to repeated assault made by the petitioner on the informant's father, he has succumbed to his injuries.

6. I have heard learned counsel for the parties and perused the materials available on record as well as impugned order.



7. From perusal of F.I.R. and impugned order, it is evident that deceased was assaulted mercilessly on his chest by the petitioner even after he fell down on the ground. The inquest report suggests mark of assault on the deceased.

8. Considering the nature of allegation and gravity of offence, I am not inclined to grant anticipatory bail to the petitioner, accordingly the same was rejected.

(Anil Kumar Sinha, J)

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