

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6177 of 2025

Arising Out of PS. Case No.-175 Year-2021 Thana- BAIKUNTHPUR District- Gopalganj

Shailesh Sah @ Shailesh Kumar Gupta Son of Yogendra Sah Village
-Gamhari, P.S. -Baikunthpur, District -Gopalganj

... .. Petitioner/s

Versus

The State of Bihar bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Javed Aslam
For the Opposite Party/s	:	Mr.Akbar Ali
For the Informant	:	Mr. Indrajeet Bhusan

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

6 29-07-2025 Heard learned counsel for the petitioner and learned
counsel for the informant as well as learned A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Baikunthpur P.S. Case No. 175 of 2021 dated 10.06.2021 registered for the offences punishable u/s 302 read with section 34 of the Indian Penal Code.

3. As per the prosecution case, there was an orchestra programme for a marriage near the informant's house from where an obscene songs were playing. On being objected by the informant's son, the petitioner and the co-accused persons are alleged to have abused and assaulted him. It is further alleged that the accused persons slammed the informant's son on the



ground and the petitioner Shailesh Sah assaulted him with knife on his rib. Thereafter, the informant brought the victim to the hospital from where he was referred to a higher center but the victim died on the way to the hospital.

4. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. Learned counsel has further submitted that the petitioner has no concern with the alleged offence. There is one day delay in lodging the FIR. It is not a case related to section 302 of the IPC. The allegation against the petitioner is of assaulting on the non-vital part of the deceased. The petitioner has no intention to cause death of the informant's son and there is no repetition of blow. The petitioner has no criminal antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 02.12.2024.

5. Learned counsel for the informant as well as learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner. The specific allegation of assaulting the deceased with knife is against the petitioner, Shailesh Sah and the postmortem report also corroborated the same. The cause of death is shock and haemorrhage due to injury caused by sharp cutting weapon.



6. Considering the aforesaid facts and circumstances of the case as well as the specific and heinous nature of allegation against the petitioner, I am not inclined to enlarge the petitioner on bail. Accordingly, the application stands rejected.

7. The learned trial court is directed to expedite the trial and conclude the same at the earliest.

(Chandra Prakash Singh, J)

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