

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9425 of 2025

Arising Out of PS. Case No.-208 Year-2024 Thana- BEGUSARAI TOWN District- Begusarai

Chotu Sah @ Chotu Kumar Son of Chandan Sah Resident of Village - Ward
No. 38, Muhamoadpur, P.S. - Town, District - Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pritish Kumar Lal

For the Opposite Party/s : Mr.Vinod Shanker Modi

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 5 06-08-2025 1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. The petitioner seeks regular bail in connection with Begusarai Nagar Police Station Case No. 208 of 2024, dated 13.04.2024, registered for the offence punishable under Sections 302/120-B/34 of the Indian Penal Code.
3. The prosecution case, as per the First Information Report, is that on 07.04.2024, at about 9 PM, while the husband of the informant, namely, Rajesh Kumar (deceased), was returning home on his tractor and on finding a thela on the way, he asked the mother of the petitioner to remove the same, but they started quarreling. However, the matter was pacified. It has been alleged that on 12.04.2024, at about 2 PM, while the informant was at her home along



with her husband, co-accused Rigan Sah called the deceased on his mobile and asked him to come to Manokamana Mandir, upon which the deceased left his house for Manokamana Mandir at about 3 PM. It has also been alleged that at about 6 PM, the informant got information from some person that her husband was assaulted by the petitioner and other accused persons and he was seen lying injured near the Manokamana Mandir. Upon such information, the informant went to the place of occurrence along with her mother-in-law and found her husband with serious injuries. When the informant was taking her husband to the hospital on e-rickshaw, the deceased disclosed to the informant that he was sitting at the Mandir and the petitioner, along with 8-10 persons, arrived there and brutally assaulted him. The husband of the informant died subsequently on 13.04.2024.

4. Learned Counsel for the petitioner submits that the petitioner has been made accused merely on suspicion and on the ground that a quarrel took place between the deceased and the family member of the petitioner 4-5 days before on the point of shifting of thela, which was coming in the way of the deceased. He further submits



that there is no eye-witness to the alleged occurrence and the petitioner has been implicated in this case on the basis of confessional statement of co-accused Rigan Sah. He next submits that petitioner is in custody since 07.08.2024, charge sheet has been submitted against him and charges have been framed, and as such, there is no likelihood that the petitioner will abscond and/or tamper with the evidence.

5. On the other hand, learned Counsel for the State opposes the prayer for bail and submits that as per the First Information Report, the deceased disclosed the name of the petitioner and other accused persons who brutally assaulted him. In the post mortem examination report, altogether eight injuries have been found on the person of the deceased and the deceased died on the next date, i.e. 13.04.2024. During investigation, it has come that the petitioner and his mother, along with 3-4 friends of the petitioner, assaulted the deceased with bricks and slaps etc., due to which the deceased died. Multiple injuries have been found on the person of the deceased caused by hard and blunt substance.
6. Regards being had to the submissions made by the parties



and taking into consideration the gravity of the offence and the fact that the deceased told his wife that he was brutally assaulted by the petitioner and others and multiple injuries have been found on the person of the deceased, I am not inclined to grant regular bail to the petitioner, at this stage.

- 7. This application is, accordingly, dismissed.
- 8. However, the petitioner will be at liberty to renew his prayer for regular bail after nine months from today, if the trial does not show any substantial progress.

Prabhakar Anand/-

(Anil Kumar Sinha, J.)

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