

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9419 of 2025**

Arising Out of PS. Case No.-43 Year-2024 Thana- SONBERSA District- Sitamarhi

Raghunath Sahni S/O Lakhan Sahni R/O village- Dalkawa, P.S.- Sonbarsa,
Dist.- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Virendra Kumar
For the Opposite Party/s : Mr.Chandra Bhushan Prasad
For the Informant : Mr. Santosh Kumar

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

ORAL ORDER

2 14-05-2025 Heard learned counsel for the petitioner, learned
counsel for the informant and learned A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Sonbarsa P.S. Case No. 43/2024 dated 31.01.2024 registered for the offence punishable u/s 341, 323, 307 and 302 read with Section 34 of the Indian Penal Code.

3. As per the prosecution case, on the issue of flow of water towards the house of the informant, the dispute arose then the petitioner started abusing the informant. On protest, the petitioner caught the hair of the informant and slammed her on the ground and disrobed her and assaulted her with fist and legs. When the informant's husband and brother-in-law came to



rescue, the petitioner and the co-accused, Mangal Sahni assaulted him with lathi and iron rod. Further, the accused persons came holding bamboo and iron rod and assaulted the informant's husband. Thereafter, the petitioner assaulted the informant's husband with an iron rod, causing head injury. In the meantime, the co-accused Gajendra Kumar inflicted 3-4 knife blow. Thereafter, the informant's husband was taken to hospital where in the course of treatment he succumbed to the injuries.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. The other co-accused person has already been granted bail by this court *vide* order dated 30.07.2024 passed in Cr. Misc. No. 47898/2024. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 19.09.2024.

5. Learned A.P.P. for the State as well as learned counsel for the informant have vehemently opposed the bail petition of the petitioner by submitting that the specific allegation is against the petitioner who assaulted on the head of the informant's husband causing head injury and then there is



Gajendra Kumar who inflicted knife blow. As per the Post Mortem Report, the cause of death is due to head injury caused by hard and blunt substance.

6. Considering the aforesaid facts and circumstances of the case as well as the specific and heinous nature of offence against the petitioner, this Court is not inclined to grant bail to the petitioner and the same is rejected in connection with Sonbarsa P.S. Case No. 43/2024 pending in the court of learned J.M.1st Class, Sitamarhi.

7. Learned court below is directed to conclude the trial of the petitioner at the earliest.

(Chandra Prakash Singh, J)

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