

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13419 of 2025

Arising Out of PS. Case No.-263 Year-2023 Thana- MAHARAJGANJ District- Siwan

Vishal Patel @ Vishal Kumar Son of Raju Patel @ Raju Prasad @ Raju Ravat
village-Paterhi , P.S- Maharajganj , Dist -Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar, Adv.

For the Opposite Party/s : Mr. Shahabuddin Azeem @ S. Azeem, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA
ORAL ORDER

2 28-02-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Maharajganj P.S. Case No. 263 of 2023 registered for the offences punishable under Sections 147, 149, 341, 323, 324, 307, 302, 504, 506 & 120B of the Indian Penal Code.

3. Prosecution case in short is that co-accused including the petitioner have assaulted the grandson of the informant by various means, due to which he succumbed to injury.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as



alleged against him and has falsely been implicated in the present case due to previous enmity and rivalry. Learned counsel for the petitioner submits that there is no direct or specific allegation of any overt act against the petitioner rather the same is general and omnibus in nature. The postmortem report does not support the prosecution case. The petitioner has no criminal antecedent and is in custody since 23.09.2024. There is delay of one day in lodging of the FIR which creates doubt in the prosecution case.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. It is submitted that there is specific allegation against the petitioner of inflicting knife blow on the backbone of the grandson of the Informant due to which backbone got fractured and the blood started oozing out. There is also an allegation of assaulting by means of sword causing injury in his stomach. The postmortem report also supports the prosecution case. The offence alleged is serious in nature and hence, he does not deserve bail.

6. Considering the rival submissions made by the



learned counsel for the parties and taking into account the nature and gravity of the offence as also there being direct allegation of assault against the petitioner, this Court is not inclined to grant bail to the petitioner.

7. Accordingly, the prayer for grant of bail is rejected.

(Rudra Prakash Mishra, J)

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