

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27503 of 2025

Arising Out of PS. Case No.-148 Year-2024 Thana- SATHI District- West Champaran

Milan Kumar Dubey Son of Late Rajdeo Dubey Resident of Village -
Somgrah, P.S.- Sathi, District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sanjeev Kumar Shrivastava, Advocate
For the Opposite Party/s	:	Mr. Md. Matloob Rab, APP
For the Informant	:	Mr. Mithilesh Kumar, Advocate

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 30-04-2025 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

2. The petitioner seeks bail in connection with Sathi
P.S. Case No. 148 of 2024 instituted for the offences under
Sections 191(2), 191(3), 190, 126(2), 115(2), 118(1), 109,
103(2) of the BNS.

3. Accusation against the accused persons including
the petitioner is of assaulting the informant and his father due to
which both the persons sustained injuries. It is further alleged
that father of the informant succumbed to injuries.

4. Learned counsel for the petitioner submitted that the



petitioner has falsely been implicated in the present case. Learned counsel for the petitioner submitted that general and omnibus allegation has been made against the accused persons. Learned counsel further submitted that parties are agnates and there is land dispute between them. Learned counsel further submitted that although there is allegation against the petitioner that he assaulted on the head of the informant's father by iron rod but there are no repeated blows and, therefore, Section 103(2) of the BNS is not attracted against the petitioner. It has been submitted on behalf of the petitioner that the petitioner is in custody since 26.10.2024 and has two criminal antecedents.

5. Learned A.P.P. for the State and learned counsel for the informant vehemently opposed the prayer for grant of bail to the petitioner stating that there is specific allegation against the petitioner of assaulting the deceased on his head by means of iron rod as a result of which he died on the spot which is corroborated by the post-mortem report of the deceased.

6. Considering the aforesaid facts and circumstances of the case as also there being specific allegation against the petitioner of giving iron rod blow on the head of the deceased which is supported by the medical evidence, this Court is not inclined to grant bail to the petitioner at this stage.



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

(Rudra Prakash Mishra, J)

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