

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31833 of 2025

Arising Out of PS. Case No.-397 Year-2024 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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Madhusudan Singh @ Makshudhan Singh Son of Late Shiv Shankar Singh
Resident of Village - Paspura, Ward No.- 17, P.S.- Muffasil, District -
Begusarai (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ranjit Kumar Thakur
For the Opposite Party/s : Mr.Mohammad Sufyan

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 06-08-2025 Heard the parties.

2. Application for grant of bail to the petitioner, who is in custody in connection with Muffasil P.S. Case No. 397 of 2024, registered for the offences punishable under Sections 126(2), 115(2), 109(1), 351(2), 76 and 3 of BNS, 2023 and later on Section 103 of BNS has been added.

3. Based upon the written report, it is alleged that on the fateful date, informant received an information that Bipin Singh along with the petitioner are indulged in assaulting her son. When the informant rushed to the place of occurrence, she found that the petitioner and co-accused Bipin Singh are brutally assaulting her son and when she tried to rescue her son, she was pushed down and thereafter Bipin Singh assaulted her



son by means of brick due to which he sustained serious injury.

4. Learned Advocate for the petitioner referring to the FIR contended that the specific allegation of causing assault over the head of the deceased is leveled against Bipin Singh. So far the petitioner is concerned, there is omnibus nature of allegation as he was also found engage in assaulting. The informant and the petitioner are co villagers and there is land dispute going on. The informant, who is said to be eye witness to the alleged occurrence, has not made any specific allegation against the petitioner and, moreover, the petitioner has been incarcerated since 03.01.2025.

5. On the other hand, learned APP for the State taking this Court through the post mortem report submitted that the deceased has sustained 6 injuries and all are grievous in nature, which led to death of the deceased. There is specific allegation that the petitioner along with Bipin Singh were indulged in assaulting the son of the informant, who succumbed to his injuries. He lastly contended that the petitioner is also facing three criminal antecedent over his head.

6. Having considered the submissions set forth by the learned Advocates for the respective parties and taking note of the allegation levelled in the FIR and the corresponding injuries



as narrated in the post mortem report leading to the death of the deceased, this Court is not inclined to accede to the prayer for grant of bail to the petitioner. Accordingly, the prayer for grant of bail to the petitioner stands rejected.

(Harish Kumar, J)

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