

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37404 of 2025

Arising Out of PS. Case No.-223 Year-2023 Thana- MOTIPUR District- Muzaffarpur

Raja Babu Ram S/o Kishori Ram Resident of Village - Parsoniya,P.S. -
Motipur, District – Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Adarsh Ranjan, Advocate

For the Opposite Party/s : Mr. Rajesh Kumar, APP

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

ORAL ORDER

2 24-06-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Sessions Trial No. 59 of 2024 arising out of Motipur P.S. Case No. 223 of 2023 dated 14.07.2023 registered for the offences punishable u/ss 341, 323, 302, 504 read with 34 of the Indian Penal Code

3. As per the prosecution case, when the son of the informant was returning to his home on bicycle, then accused persons including the petitioner surrounded him and thereafter abused him and also assaulted with fist and slap and the petitioner assaulted the son of the informant with iron rod on his head and during the course of treatment the informant's son died in the hospital.



4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner has been made accused in this case merely on suspicion. No incriminating article has been recovered from the conscious possession of the petitioner. The petitioner has no concern with the alleged offence. The petitioner has no criminal antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 26.11.2024.

5. Learned A.P.P. for the State has opposed the bail petition of the petitioner and submitted that there is direct allegation against the petitioner that he assaulted the deceased with iron rod on his head and then further deepening the wound by motorcycle key. Due to the said assault, the deceased died which has been supported by witnesses examined in case diary. As per the impugned order, the post mortem report of the deceased in para 22 of the case diary mentions the head injury to be the cause of death. From perusal of the case diary the deceased died due to head injury.

6. Considering the aforesaid facts and circumstances of the case as well as the heinous nature of allegation against the petitioner, I am not inclined to enlarge the petitioner above-named on bail.



7. The application stands rejected.

(Chandra Prakash Singh, J)

Raj Ranjan/-

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