

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40160 of 2025

Arising Out of PS. Case No.-83 Year-2025 Thana- GORaul District- Vaishali

Santosh Kumar S/O Veerchandra Pandit R/O Village- Sahpur Gaush
Manjhiya, PS- Goraul, Kathara O.P., Dist.- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Mritunjay Kumar, Advocate
For the State	:	Mr. Ram Sumiran Rai, A.P.P.
For the Informant	:	Mr. Shashank Chandra, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 15-07-2025 Heard Mr. Mritunjay Kumar, learned counsel for the petitioner, Mr. Shashank Chandra, learned counsel for the informant and Mr. Ram Sumiran Rai, learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Goraul (Kathara O.P.) P.S. Case No. 83 of 2025, FIR dated 20.02.2025 registered for the offences punishable under Sections 191(2)/191(3)/190/103 of Bharatiya Nyaya Sanhita, 2023.

3. As per prosecution case, there is a direct allegation against the petitioner to blow sword on the head of the informant's husband but no such injury mentioned in the postmortem report. Further it is alleged that other co-accused



persons assaulted with *Lathi*, *Danda* and crushed with Rotavetor of the tractor. FIR named accused male persons who are alleged to be participated in the occurrence and likely to drive the abovesaid tractor which is alleged to be used causing the death of the victim.

4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case. The allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offence as alleged in the F.I.R., although, there is specific allegation against this petitioner in the F.I.R. but the postmortem report does not support the allegation as alleged in the F.I.R.

5. Learned counsel for the informant as well as learned Additional Public Prosecutor for the State have vehemently opposed the prayer for bail of the petitioner and submits that from a bare perusal of the F.I.R., it appears that there is direct and specific allegation against the petitioner that he assaulted the deceased and he has died during the treatment in the hospital, apart from that the petitioner carries two more cases other than the present.

6. Considering the aforesaid fact and circumstances, I am not inclined to grant the privilege of anticipatory bail to the



petitioner in connection with Goraul (Kathara O.P.) P.S. Case
No. 83 of 2025 pending in the court of learned A.C.J.M. 1,
Vaishali at Hajipur.

7. Prayer is refused.

(Rajesh Kumar Verma, J)

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