

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46035 of 2025

Arising Out of PS. Case No.-70 Year-2025 Thana- LAHERIYASARAI District- Darbhanga

1. Shubham Kumar S/o Jay Prakash R/o Village- Rahamganj, P.S.- Laheriasarai, District- Darbhanga
2. Gauri Shanker @ Gauri Kumar S/o Jay Prakash (Wrongly typed in FIR as Gauri Kumar) R/o Village- Rahamganj, P.S.- Laheriasarai, District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Ms. Vagisha Pragya Vacaknavi, Advocate
For the Opposite Party/s	:	Mr. Yogendra Kumar Singh, A.P.P.
For the Informant	:	Mr. Alok Ranjan, Mr. Uma Shankar Singh, Adv

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 11-11-2025 Heard learned counsel for the petitioners, informant and the State.

2. Petitioners apprehend arrest in a case registered for the offences punishable under Sections 103(1), 3(5) of the Bharatiya Nyaya Sanhita.

3. As per prosecution case, these two petitioners assaulted husband of the informant with hammer as a result of which, he sustained injury and died during course of treatment.

4. Learned counsel for the petitioners submits that petitioners are innocent and have committed no offence. During course of investigation, CCTV footage was examined by the police and no such incident was found to be occurred at the



alleged place of occurrence. As a matter of fact, it is a case of accidental death as building construction material fell on the deceased.

5. Learned A.P.P. for the State as well as learned counsel for the informant vehemently opposed the bail application and submitted that there is specific accusation that these petitioners assaulted the deceased and post-mortem report also supported the prosecution case.

6. Considering the nature of accusation and materials available on record, prayer for anticipatory bail of the petitioners is refused.

(Prabhat Kumar Singh, J)

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