

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63570 of 2024

Arising Out of PS. Case No.-191 Year-2024 Thana- FATUA District- Patna

Bipin @ Pipi @ Bipin Kumar Son of Chhotelal Singh @ Chhotelal Prasad
Resident of Village- Janardanpur P.S.- Fatuha District- Patna

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Awadhesh Kumar, Adv.
For the Opposite Party/s	:	Mr. Kalyan Shankar, APP
For the Informant/s	:	Ms. Mickey Singh, Adv.

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

ORAL ORDER

3 29-08-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case in connection with Fatuha P.S. Case No. 191 of 2024 dated 27.03.2024 registered for the offences punishable under Sections 341, 323, 307, 302 read with Section 34 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per the prosecution case, the petitioner and the co-accused persons are alleged to have assaulted the informant's brother with lathi, danda and iron rod. It is further alleged that the co-accused, Ranjeet Singh assaulted on the head of the informant's brother with an iron rod with intention to kill due to which he got injured and fell on the ground. Thereafter, all the



accused persons assaulted him with sticks and bricks, when his son came to save his father he was also assaulted with an iron rod and lathi with intention to kill and they started firing. It is further alleged that the injured were taken to the hospital where the informant's brother was declared dead.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. It is further submitted that there is general and omnibus allegation against the petitioner and there is no specific allegation against the petitioner rather the specific allegation of assaulting the deceased is against the co-accused, Ranjeet Kumar. The charge-sheet has been submitted against the petitioner. The petitioner has no concern with the alleged occurrence. The petitioner has no criminal antecedent as stated in para 3 of the bail petition. The co-accused person has already been granted regular bail by this Court vide order dated 02.04.2025 passed in Cr. Misc. No. 2172 of 2025.

5. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner and submitted that as per the post-mortem report, the deceased sustained four external injuries, out of which three injuries are



abrasion found on left eye corner, left shoulder tip and left index finger whereas the fourth injury is stitch wound of size 6 cm length over right occipital area at a distance of 8 cm posterior to right ear. On further dissection and removal of scalp layer, a depressed fracture of size (3x1.5)cm² was noted underneath the stitch wound which was continued as a linear fracture line from both chambers opposite side, one of length 13 cm and terminating at right ear base while the other linear fracture of size 5 cm at a distance of 6 cm from middle. There were presence of subdural hematoma all over the brain matter, more on right side than left.

6. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Patna City in connection with Fatuha P.S. Case No. 191 of 2024, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure, with further condition:-

(i) The petitioner is directed to remain physically present before the learned Court below on each and every date,



failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner are liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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