

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72380 of 2024

Arising Out of PS. Case No.-324 Year-2023 Thana- BHAGWAN BAZAR District- Saran

Shankar Rai Son of Late Ramdas Rai R/O Village - Naya Basti, Ajaibganj,
P.S.- Bhagwan Bazar, District - Saran at Chapra

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Rajoday Satyjeet, Advocate

For the Opposite Party/s : Mr. Nand Kishore Prasad, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

5 21-02-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. Petitioner is in custody in a case registered for an
offence punishable under Sections 302, 120(b) and 34 of the
Indian Penal Code.

3. As per allegation in the FIR, accused persons
assaulted the brother of the informant due to which he died.

4. Learned counsel for the petitioner submits that
petitioner is innocent and he has falsely been implicated in this
case due to land dispute going on between the parties.
Petitioner is in custody since 02.02.2024.

5. Learned APP for the State opposes the prayer for
bail of the petitioner and submits that prayer for bail of similarly



situated co-accused, namely, Rajesh Rai has been rejected by this Court vide order dated 11.03.2024 in Cr. Misc. No. 13298 of 2024.

6. On perusal of the first information report, case diary, post-mortem report of the deceased and impugned order dated 05.07.2024 and submission of both sides, it appears that petitioner is named in the FIR and the petitioner is alleged to be assailant of the deceased and there is specific allegation of assault upon the deceased by means of stick as stated in the impugned order, so I am not inclined to grant bail to the petitioner.

7. Accordingly, the prayer for regular bail of the petitioner is hereby rejected.

(Ramesh Chand Malviya, J)

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