

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63044 of 2025

Arising Out of PS. Case No.-70 Year-2023 Thana- SANJHOLI District- Rohtas

Krishna Dom @ Tamatar Dom S/o Chhotan Dom R/o Village- Basaura, P.S.-
Sanjhauli, District- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwari, Adv.

For the Opposite Party/s : Mr. Akshay Lal Pandit, APP

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

ORAL ORDER

2 16-09-2025 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 Sanjhauli P.S. Case No. 70 of 2023 dated 18.05.2023 registered for the offences punishable under Sections 302, 120B read with Section 34 of the Indian Penal Code.

3. As per the prosecution case, the informant alleged that her husband was in the business of exorcism and on the fateful night, the co-accused, Chhotan Dom took the informant's husband to cure his daughter. On seeing exorcism being performed by the informant's husband on daughter of the co-accused Chhotan Dom then his son Tamatar Dom @ Krishna



Dom (petitioner) objected to it and assaulted with iron rod (gaita) to the informant's husband due to that he died on the spot. Accordingly, the F.I.R has been lodged.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There is no eye-witness to the alleged occurrence. It is further submitted that total six witnesses out of seven witnesses has been examined by the prosecution. The petitioner has no concern with the alleged occurrence. The petitioner has one criminal antecedent in which he is on bail as stated in para 3 of the bail petition. The petitioner is in custody in this case since 19.05.2023. The co-accused person has already been granted regular bail by this Court vide order dated 08.01.2025 passed in Cr. Misc. No. 87845 of 2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner by submitting that the specific allegation of assaulting the informant's husband by an iron rod is against the petitioner due to which he died on the spot.

6. Considering the aforesaid facts and circumstances of the case as well as the specific and heinous nature of offence against the petitioner, this court is not inclined to grant bail to



the petitioner and the same is rejected in connection with Sanjhauli P.S. Case No. 70 of 2023, pending in the Court of learned Additional Sessions Judge-1st, Bikramganj, Rohtas.

7. The application stands rejected.

(Chandra Prakash Singh, J)

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