

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76111 of 2025

Arising Out of PS. Case No.-533 Year-2023 Thana- JOGAPATTI District- West Champaran

Rupesh Thakur S/O Nagina Thakur @ Chokat Thakur R/O vill.- Golaghat,
P.S.- Yogapatti, Dist.- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Niraj Kumar Sharma, Advocate

For the Opposite Party/s : Mrs. Renu Kumari, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 12-11-2025 Heard Mr. Niraj Kumar Sharma, learned counsel
for the petitioner and Mrs. Renu Kumari, learned APP for the
State.

2. The petitioner seeks bail in connection with
Yogapatti P.S. Case No. 533 of 2023, instituted for the offences
punishable under Sections 302 and 34 of the Indian Penal Code.

3. The prosecution case, in short, is that the petitioner
along with other co-accused persons assaulted the husband of
the informant. It is further alleged that the petitioner has stabbed
knife on the neck of informant's husband due to which he died.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. Charge-sheet has been submitted in this case. No
incriminating material has been recovered from the conscious



possession of the petitioner. Learned counsel for the petitioner also submits that there is delay of two days in lodging the FIR without any plausible explanation. It is next submitted that informant's husband sustained injury through *bhala* blow by the brother of the deceased and later on he succumbed to his injuries. There is case and counter case between the parties. The petitioner is in custody since 22.05.2025 and has got no criminal antecedent. Learned counsel for the petitioner further submits that other co-accused has been granted regular bail by this Court vide order dated 11.09.2025 passed in Cr. Misc. No. 40987 of 2025.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner and submits that there is specific allegation against the petitioner of giving knife blow to the informant's husband. From perusal of the impugned order, it appears that on the post-mortem report of the deceased, cause of death has been opined to be hemorrhage and shock and three stab wounds on left side of neck and three on upper part of left shoulder and below left eye were detected. It is further submitted that the informant in paragraph no. 5 and witnesses in paragraph no. 6 of the case diary have already supported the prosecution case.



6. Considering the aforesaid facts and circumstances of the case, nature of accusation and the gravity of the offence, this Court is not inclined to grant bail to the petitioner.

7. The prayer is rejected. The trial Court is directed to expedite the Trial.

(Rudra Prakash Mishra, J)

Rajorshi/-

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