

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72664 of 2025**

Arising Out of PS. Case No.-24 Year-2024 Thana- Karvandiya District- Rohtas

Sandesh Kumar, age about 27 years, Male, Son of Sanjay Sah, R/o Village-
Amaratalaw, P.S.- Karwandiya, Dist. - Rohtas at Sasaram.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Tribhuwan Narayan, Advocate
For the Opposite Party : Mr. Umanath Mishra, A.P.P.

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

ORAL ORDER

2 28-11-2025 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Karvandiya P.S. Case No. 24 of 2024 dated 30.10.2024 registered for the offences punishable under Sections 115(2), 127(1), 109 read with section 3(5) of the B.N.S., 2023. Later on, Section 103(1) of the B.N.S., 2023 was also added.

3. As per the prosecution case, the petitioner and the co-accused persons are alleged to have assaulted the informant's handicapped sister with lathi, danda, fists and legs with intention to kill her causing severe head injury to her.



4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There is a delay of four days in lodging the FIR. There is general and omnibus allegation against the petitioner. It is further submitted that the deceased had died after four days of the alleged occurrence. The petitioner is the *Gotia* of the husband of the deceased and he has no concern with the alleged offence. There is land dispute between the parties. The deceased who was handicap has got injured due to falling from the roof and after four days from the alleged date of occurrence, the present false case has been lodged at the instance of the husband of the deceased. There is no eye witness to the alleged offence. It is further submitted that even the postmortem report of the deceased does not support the allegation of assault. It is further submitted that the other co-accused persons, namely, Bhola Sah @ Ranjan Kumar Gupta and Gulsan @ Gulsan Kumar Gupta have already been granted bail by a Bench of this Court in Cr. Misc. No. 18547 of 2025 vide order dated 06.08.2025, annexed as Annexure-P/3 to the present bail application. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 18.04.2025.

5. Learned A.P.P. for the State has vehemently



opposed the bail petition of the petitioner by submitting that the daughter of the deceased has confessed that the petitioner and the co-accused persons have assaulted her mother due to that she got severely injured. As per the postmortem report, the cause of death is Cardiac Arrest due to Haemorrhage skull.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Rohtas at Sasaram in connection with Karvandiya P.S. Case No. 24 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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