

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78660 of 2024

Arising Out of PS. Case No.-60 Year-2023 Thana- AKILPUR District- Saran

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Gajendra Singh S/O Late Vibhishan Singh R/O Vill- Naya Panapur, P.S.-
Akilpur, District- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr. Sunil Kumar Singh, Adv.
For the Informant	:	Mr. Gajendra Nath Ojha, Adv.
For the State	:	Mr. Nitya Nand Tiwary, APP

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

4 31-01-2025 Heard Mr. Sunil Kumar Singh, learned counsel

appearing for the petitioner, Mr. Nitya Nand Tiwary, learned

APP appearing for the State and Mr. Gajendra Nath Ojha,

learned counsel appearing for the informant.

2. The petitioner apprehends his arrest in
connection with Akilpur P.S. Case No. 60 of 2023 dated
16.08.2023 registered for the offences punishable under sections
341, 323, 324, 307, 504 and 506 read with section 34 of the
Indian Penal Code.

3. As per prosecution story, the informant alleged
that the petitioner along with other co-accused persons abused
him and his brother and on protest, they assaulted him and his
brother by means of *lathi* and in the alleged occurrence, his



brother, namely, Bhola Singh sustained injury at his head caused by this petitioner and later on, his brother succumbed to his injury. It is further alleged that co-accused Dharmendra Singh also fired using a country made pistol.

4. The main submissions advanced by learned counsel for the petitioner are that the petitioner has fair and clean antecedent and there is no serious allegation against him and three co-accused persons, namely Rinku Devi, Puja Devi @ Manisha Devi and Jitendra Singh have been granted the relief of anticipatory bail by this Bench vide orders dated 20.08.2024 and 20.09.2024 passed in Cr. Misc. Nos. 47964/2024 and 67657/2024 respectively.

5. On the other hand, learned counsel appearing for the informant has vehemently opposed the bail prayer of the petitioner and submits that the case of this petitioner does not stand on similar footing to the co-accused persons, who have been granted the relief of anticipatory bail by this Bench, as he is said to be the main assailant who inflicted *lathi* blow on the head of the deceased and in this regard, the postmortem report of the deceased may be perused which corroborates the allegations levelled against this petitioner.

6. Learned APP appearing for the State has also



opposed the bail prayer of the petitioner.

7. Considering the seriousness of the allegation appearing against this petitioner and also getting support from the postmortem report of the deceased, this Court is not inclined to grant the relief of anticipatory bail to the petitioner. Accordingly, his prayer stands rejected.

(Shailendra Singh, J)

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