

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89435 of 2024

Arising Out of PS. Case No.-313 Year-2019 Thana- HAJIPUR SADAR District- Vaishali

Raushan Kumar @ Chhotu, aged about 25 yrs, Male, son of Ashok Singh @ Ashok Kumar Singh, resident of village- Daulatpur Chandi, PS -Hajipur Sadar, District -Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Bela Singh, Advocate

For the Opposite Party/s : Mrs. Pushpa Sinha, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

6 02-07-2025 Heard Mrs. Bela Singh, learned counsel appearing on behalf of the petitioner and Mrs. Pushpa Sinha, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection with Hajipur Sadar P.S. Case No. 313 of 2019, registered for the offence punishable under Sections 302 and 34 of the Indian Penal Code.

3. As per the allegation made in the FIR, petitioner along with other co-accused, with a common intention, had committed murder of the son of the informant.

4. Learned counsel appearing on behalf of the petitioner submitted that petitioner is innocent and there is general and omnibus allegation against the petitioner that he



along with other co-accused had committed murder of the son of the informant. She further submitted that the bail has been sought on the ground that the son of the informant sustained injury while he was playing cricket along with the petitioner and other accused persons and in course of the same, the ball hit on the head of the son of the informant, which took his life. Informant is not the eye witness. Petitioner has clean antecedent.

5. Learned A.P.P. for the State referring to post-mortem report submitted that four injuries have been found on the body of the son of the informant as would appear from the post-mortem report prepared at P.M.C.H., Patna and there is direct allegation against the petitioner that he is the one, who had assaulted the son of the informant by means of wicket on his head, which is hard and blunt substance, which took his life, as such, petitioner don't deserve to be released on pre-arrest bail.

6. Having considered the rival submissions made on behalf of the parties, as well as, having perused the allegation made in the FIR and the post-mortem report reveals that there are four injuries and the doctor has opined that the death has been caused by craniocerebral damage resulting from head injury caused by hard and blunt object. The injury report



supports the allegation made in the FIR and the ground taken by the petitioner that son of the informant died because cricket ball hit his head cannot be sustained and involvement of the petitioner in the alleged commission of murder of the son of the informant cannot be denied. I am not inclined to enlarge the petitioner on pre-arrest bail.

7. Accordingly, the present bail application is dismissed.

(Purnendu Singh, J)

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