

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5852 of 2026

Arising Out of PS. Case No.-231 Year-2025 Thana- KHANPURA District- Samastipur

Abhishek Kamati @ Abhishek Kumar Son of Tuntun Kamati @ Tuntun Ray
Resident of Village- Rajwara, P.S.- Khanpur, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Sheo Kumar Prasad, Advocate
For the Opposite Party/s	:	Ms.Pushpa Sinha.1, APP
For the Informant	:	Mr.Suraj Kumar Chaudhary, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 09-04-2026 Heard Mr.Sheo Kumar Prasad, learned counsel for the petitioner, Mr.Suraj Kumar Chaudhary, learned counsel for the informant and Ms.Pushpa Sinha.1, learned A.P.P. for the State.

2. The petitioner seeks bail, who is in custody since 14.10.2025 in connection with Khanpur P.S. Case No. 231 of 2025, F.I.R. dated 04.10.2025 registered for the offence punishable under Sections 126(2), 115(2), 109(1), 303(2), 352, 351(2), 3(5) of BNS but further added Section 103(1) of BNS.

3. Allegation against the petitioner is that he assaulted to the father of the informant with an iron rod due to which his father's head got badly injured and blood started oozing out from his head and he died during his treatment.

4. Learned counsel appearing for the petitioner



submits that the petitioner has clean antecedent. The allegation as alleged in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR.

5. Learned counsel for the informant and learned APP for the State, on the other hand, have vehemently opposed the prayer for bail of the petitioner and submits that from a bare perusal of the FIR it appears that there is direct and specific allegation of assault attributed against the petitioner that he has assaulted to the father of the informant, namely, Kamal Das and he has died during course of treatment. Learned counsel for the informant further submits that *“from a bare perusal of the case diary and postmortem report, it transpires that death was due to neurogenic and hemorrhagic shock as a result of injuries caused by heavy, hard and blunt object. The external injuries are:-*

(1) Multiple stich present on right occipital region of skull of size 2”x1”1/2”.

(ii) Multiple stich of size 5”x2”x1” present on right side abdomen.

(iii) Multiple abrasion on both lower leg.

(iv) Abrasion 5”x4” present on both thigh.”

6. In view of the aforesaid, there is specific allegation



against the petitioner which is supported by the medical evidence.

7. Considering the aforesaid facts and there is direct and specific allegation of assault attributed against the petitioner, I am not inclined to enlarge the petitioner on bail in connection with Khanpur P.S. Case No. 231 of 2025 pending in the court of learned Judicial Magistrate-1st Class, Samastipur.

8. Prayer is refused.

(Rajesh Kumar Verma, J)

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