

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 35862 of 2026

Arising Out of PS. Case No.-566 Year-2022 Thana- CHAPRA TOWN District- Saran

Dukhan Kumar @ Dukhan Mahto S/o Late Satan Mahto Resident of Village-
Bichla Telpa Bintoli, P.S-Chapra Town, District-Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhitabh Kumar, Adv.

For the Opposite Party/s : Mr. Ajay Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 30-06-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. This is the 2nd attempt of the petitioner seeking bail
in connection with Chapra Town P.S. Case No. 566 of 2022,
registered for the offence under Sections 341, 323, 307, 302,
504/34 of the I.P.C.

3. Earlier, the bail application of the petitioner was
rejected on 21.08.2023 in Cr. Misc. No. 38698 of 2023 which
reads as follows:-

*“Heard Mr. Amit Kumar, the learned
counsel for the petitioner, the learned APP for
the State and Mr. Nalin Kumar, the learned
counsel for the informant.*

*2. The petitioner seeks regular bail in
connection with Chapra P.S. Case No. 566 of
2022 registered for the offence under Sections
341, 323, 307, 302, 504/34 of the Indian Penal
Code.*

*3. As per the prosecution case, when the
informant along with his father was going to his*



newly constructed house, all the FIR named accused persons stopped the motorcycle and they started assaulting him and his father with deadly weapons. The petitioner is accused of assaulting the father of the informant with lathi.

4. Learned counsel for the petitioner submits that there are a number of accused and the petitioner is one of them. He is said to have assaulted the deceased with a stick (Lathi). He further submits that one co-accused, the order giver, has been granted anticipatory bail.

5. Learned A.P.P. for the State as well as the learned counsel for the informant have vehemently opposed the prayer for bail.

6. From the perusal of the post-mortem report produced by the learned counsel for the informant, it appears that the deceased had suffered injury on the parietal region by a hard blunt substance and had died.

7. Considering the allegation against the petitioner of assaulting the deceased with a stick(lathi) which has resulted in the death of the deceased, this Court is not inclined to grant regular bail to the petitioner.

8. Accordingly, this application for regular bail stands rejected.”

4. Learned counsel for the petitioner submits that he has no instruction with regard to the stage of the case.

5. In this circumstances, I am not inclined to review my earlier order.

6. Accordingly, this application is dismissed again.

7. However, the petitioner is at liberty to move the Trial Court for bail, and thereafter, he may approach this Court.

(Sandeep Kumar, J)

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