

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32839 of 2018

Arising Out of PS.Case No. -35 Year- 2018 Thana -SHAMBHUGANJ District- BANKA

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1. Puja Kumar Singh son of Pawan Kumar Singh
2. Rabish Kumar Singh @ Ravi Kumar Singh son of Parshuram Singh Both
residents of village - Sobhnathpur, Police Station Shambhuganj, District
Banka. Petitioner/s

Versus

1. The State of Bihar. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shivendra Kumar Sinha
For the informant : Mr. Anil Kumar Singh
For the State : Mr. U. L. Verma, A.P.P.

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

4 31-07-2018 Heard learned counsel for the petitioners and learned

Additional Public Prosecutor for the State. Learned counsel for the

informant is also present.

The petitioners are in custody since 30.03.2018 in
connection with Shambhuganj P.S. Case No. 35 of 2018 registered
for the offences punishable under Sections 147/148/149/323/
324/302/ of the Indian Penal Code.

Learned counsel for the petitioners submits that though the
allegation against the petitioner is of having attacked the deceased,
the only case that may be made out against them under Section 325
of the Indian Penal Code and not 302 Indian Penal Code because
admittedly the petitioner died much later and the First Information
Report was registered only after his death. It is further submitted
that the station diary entry against the petitioners does not reveal



same nature of occurrence.

Learned counsel for the informant, however, opposes the bail application submitting that the petitioners have come with a motive of taking possession of the house of the deceased and attacked the deceased jointly which resulted in head injury and finally led to his death.

Learned counsel appearing on behalf of the State after perusal of the case diary submits that there is ample material in the case diary to implicate the present petitioners in connection with the present case.

In view of the aforementioned facts and circumstances, the petitioners' application for bail stands rejected with liberty to the petitioners to approach for renewal of bail after framing of charge.

(Anjana Mishra, J)

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