

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74551 of 2019

Arising Out of PS. Case No.-66 Year-2019 Thana- SAHAJITPUR District- Saran

MITHUN PRATAP SINGH @ MITHUN SINGH @ KATIMAN SINGH @
MITHUN PRASAD @ KARIMAN SINGH, aged about 32 years, Gender-
Male, Son of Rameshwar Singh, Resident of Village-Najiba, Police Station-
Sahajidpur, District-Saran at Chapra.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr.D.K. Sinha, Sr. Advocate and Mr. Rituraj Singh, Advocate.
For the State	:	Mr.Md. Ataur Rahman, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

5 16-03-2020 Heard learned senior counsel for the petitioner,

learned counsel for the informant and learned counsel for the

State.

The petitioner seeks bail in a case for the offence
registered under Sections 147, 148, 149, 307 and 302 of the
IPC.

The prosecution story, in brief, is that on 21.05.2019
at about 8.30 P.M. in the night, Pawan Singh, Mithun Pratap
Singh @ Kariman Singh (petitioner) and Rajesh Kumar Singh
came at the house of the informant and took away his cousin
brother Sanjeev Kumar Singh. After some time, informant's
uncle Jitendra Singh @ Jitu Singh also reached there and got



information about it. The informant and others reached at Manopali More in search of Sanjeev Kumar Singh and saw that Chandan Singh and Pintoo Singh @ Pintu Singh tried to kill Sanjeev Kumar Singh with Farsa and due to that he sustained injuries. When the informant, his uncle Jitendra Singh and brother Ravi Singh tried to save Sanjeev Kumar Singh then co-accused Ajit Singh, Umashankar Tiwari @ Bhuwar shouted for killing and after that Pawan Singh with Farsa and Mithun Pratap Singh (petitioner) with rod assaulted the uncle of the informant on his head which resulted in death of Jitendra Singh. When the informant and his brother tried to save them they were also assaulted by them. Thereafter, they fled away.

It has been submitted by learned counsel for the petitioner that the petitioner is languishing in custody since 08.06.2019. The petitioner has falsely been implicated in the present case. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. On the alleged date of occurrence, the petitioner was not present at the place of occurrence rather he was hospitalized in the hospital. In support of the same, he has annexed Annexure-2 to the present application. Due to village politics, he has been dragged in the present case.



On behalf of the State and the informant, it is submitted that the petitioner is named in the F.I.R. The petitioner and other co-accused Pawan Kumar is alleged to have given rod and Farsa blow respectively on the head of the deceased. The postmortem report also corroborates the allegation made in the F.I.R. The petitioner is alleged to be one of the assailants causing injury on the head of the deceased.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioner. The same is rejected in connection with Sahajitpur P.S. Case No. 66 of 2019, pending in the court of learned A.C.J.M.-VI, Saran at Chapra.

The court below is directed to take all necessary steps to conclude the trial within a period of nine months from the date of receipt/production of copy of this order.

(Sudhir Singh, J)

U.K./-

U		T	
---	--	---	--

