

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1608 of 2021

Arising Out of PS. Case No.-340 Year-2019 Thana- BHABHUA District- Kaimur (Bhabua)

SHAILESH SINGH SON OF RAM EKBAL SINGH RESIDENT OF
VILLAGE- KUNJ, POLICE STATION- BHABUA, DISTRICT- KAIMUR
AT BHABUA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pawan Kumar Singh

For the Opposite Party/s : Mr. Dinesh Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 06-04-2021 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State, through video
conferencing.

The petitioner seeks regular bail in connection with
Sessions Trial No. 240 of 2019, arising out of Bhabhua Police
Station Case No. 340 of 2019, registered for the offences
punishable under Sections 147/148/149/302 of the Indian Penal
Code.

This is the second attempt on behalf of the petitioner
for grant of regular bail. Earlier, the prayer for regular bail of the
petitioner was rejected by this Court, vide order, dated
19.02.2020, passed in Criminal Misc. No. 84370 of 2019.

The allegation, as per the First Information Report, is



that the petitioner, along with other accused persons, stabbed the deceased, causing his death.

Learned Counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged and he has falsely been implicated in this case with oblique motive. He further submits that similarly situated co-accused, Shesh Muni Singh, has been granted bail by co-ordinate Bench of this Court, after rejection of the bail of the petitioner, vide order, dated 27.05.2020, passed in Criminal Misc. No. 80931 of 2019.

On the other hand, learned Additional Public Prosecutor submits that from perusal of the order, dated 19.02.2020, it would be evident that altogether 10 incised wounds were found on the person of the deceased and there is allegation against the petitioner and others that they were holding knives in their hands and stabbed the deceased indiscriminately. He further submits that while placing the bail application of co-accused Shesh Muni Singh, the fact regarding rejection of the bail application of this petitioner was not brought to the notice of this Court and the fact that 10 incised wounds were found on the person of the deceased was also not considered by this Court in the bail application of Shesh Muni



Singh.

Having heard learned Counsel for the parties and taking into consideration the materials on record and the nature of allegation, I am not inclined to grant regular bail to the petitioner, at this stage.

This application is, accordingly, dismissed.

However, the petitioner may renew his prayer for bail after one year from today, if the trial does not show any progress.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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