

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5888 of 2021**

Arising Out of PS. Case No.-99 Year-2020 Thana- MAGADH MEDICAL COLLEGE
District- Gaya

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Sudhir Kumar Singh Son of Mr. Mahendra Pratap Singh Resident of Magadh
Colony, Road No. 11, P.S.- Magadh Medical, District- Gaya (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vaishnavi Singh Shivam, Advocate

For the Opposite Party/s : Mr. Jagdhar Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

4 19-07-2021 In view of sudden resurgence of COVID-19 infection

there is limited functioning of the High Court and therefore the

matter has been listed for consideration through virtual mode.

Heard learned counsel for the petitioner and the

learned APP for the State.

This Court would expect that the petitioner's Counsel

would honour his undertaking in the instant proceedings

regarding supply of requisite court fee etc. within two weeks

from the date he is called upon to do so by the office.

Petitioner seeks bail in Magadh Madical P.S. Case

No.99 of 2020 registered under Sections 324, 326, 307, 302 of

the Indian Penal Code.

The allegation is that the petitioner has stabbed the

two sisters who happen to his sister-in-law. One of them,



namely, Dolly Kumari has succumbed to the stab injury, the other one Rolly Kumari has survived the injury.

Learned counsel for the petitioner submits that as per the prosecution case over trivial dispute of filling water in a cooler earlier, the allegation has been made. Such motive appears to be highly improbable to cause such an occurrence. Inquest is prior to lodging of the FIR and no sign of blood has been found on the body of the petitioner. These two factors cast grave suspicion on the prosecution case. I.O. in para-3 has stated that petitioner was not in a stable mental condition. The other submission is that the manner in which the informant has attended to only one of the wounded person is unnatural conduct. Under such circumstances petitioner is in custody since 27.05.2020.

Referring to the statement of the injured Rolly Kumar recorded in para-26 of the case diary, the learned APP submits that the same fully supports the prosecution case as an eyewitness.

Considering the rival submissions for the present, this court is not allow the prayer as there is direct allegation of stabbing two sisters corroborated by one of the wounded sister during the course of investigation.



The Court however would observe that the trial court to proceed expeditiously in without granting any undue adjournment for expeditious disposal of the case.

Prayer is rejected.

(Madhuresh Prasad, J)

Prakash Narayan /-

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