

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30373 of 2022

Arising Out of PS. Case No.-628 Year-2021 Thana- BHAGWAN BAZAR District- Saran

1. Sanjay Kumar @ Sanjay Chaudhary @ Sanjay Kumar Chaudhary Son of Sheo Nath Chaudhary, Resident of Village - Daulatganj, P.S.- Bhagwan Bazar, District - Saran at Chapra (Bihar).
2. Sonail Kumar Chaudhary @ Sanchil Chaudhary Son of Sanjay Kumar @ Sanjay Chaudhary @ Sanjay Kumar Chaudhary, Resident of Village - Daulatganj, P.S.- Bhagwan Bazar, District - Saran at Chapra (Bihar).

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Ashok Kumar Singh, APP.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 08-12-2022 Let the defect(s), if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Bhagwan Bazar P.S. Case No. 628 of 2021, lodged under
Sections 302 & 34 of the Indian Penal Code.

As per prosecution case, the informant has
categorically disclosed that she alongwith her son were going to
the *Sasural* of her daughter, in the mean time 4 named accused
persons came there and attacked on her son and multiple injuries
caused by them by knife, in result he died.

Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence. He further submits that the occurrence is admittedly took place on 23.12.2021 whereas the F.I.R. has been lodged on 28.12.2021, the distance between P.S. and the place of occurrence is just 2 K.M. He also submits that petitioner is in custody since 29.12.2021 and there are 2 criminal cases pending against him, in which he is on bail whereas the deceased has 4 criminal cases pending against him.

Learned counsel for the State opposes the prayer for bail and submits that the delay in lodging the F.I.R. has already been explained in the content of F.I.R. itself. He further submits that it is a case of brutal murder where the mother of deceased is eye witness.

In the present facts and circumstances of this case and the submissions made above, I am not inclined to grant bail to the petitioner, therefore, his bail application is hereby rejected.

(Dr. Anshuman, J.)

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