

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55594 of 2021

Arising Out of PS. Case No.-76 Year-2021 Thana- BAGENGOLA District- Buxar

SURENDRA PRASAD SINGH S/o Late Gopal Mahto Resident of Village-
Pokhara Tola P.S.- Bagengola, District- Buxar

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Bhaskar Shankar, Adv.
For the State	:	Mr. Bharat Bhushan, APP
For the Informant	:	Mrs. Mira Kumari, Adv.

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 09-05-2022 Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 302, 307 and other sections of the Indian Penal Code.

As per the prosecution case, it is stated that the eight named accused persons including the petitioner herein surrounded the husband of the informant and as a result of a blow given by iron rod by the petitioner on the head of the informant's husband, he died.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case. There is an inordinate and unexplained delay of four days in lodging of the F.I.R.. The post-mortem report does not support the



prosecution case in so far as it has come during the course of investigation that a number of accused persons gave blows on the head of the deceased. The petitioner is in custody since 30.7.2021 and has no criminal antecedent.

The application for bail is opposed by learned A.P.P. for the State and learned counsel for the informant who submits that there is direct allegation of having given a blow of iron rod on the head of the husband of the informant leading to his death and the same is also supported by the contents of the post-mortem report.

Having heard learned counsel for the parties and taking into consideration the direct allegation against the petitioner which is supported from the material that has transpired in course of investigation including the post-mortem report, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

Learned trial court is directed to expedite the trial.

(Partha Sarthy, J)

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