

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59398 of 2021

Arising Out of PS. Case No.-238 Year-2021 Thana- MADHAURAH District- Saran

UDAY SINGH @ UDAY PRATAP SINGH Son of Raghubir Singh Resident
of Village - Talpuraina, P.s.- Madhaura, Distt.- Saran (Chapra).

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ramakant Sharma, Sr. Adv. Mr. Mukesh Kumar Singh
For the State	:	Mr. Brajendra Nath Pandey
For the Informant	:	Mr. Udai Shankar Singh

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

4 27-09-2022 Let the defect(s), as pointed out by the office, be
removed within a period of four weeks from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State assisted by learned counsel for the
informant.

The petitioner seeks bail in connection with
Madhaura P.S. Case No. 238 of 2021 registered for the offences
punishable under Sections 302 of the Indian Penal Code and 27
of the Arms Act.

As per prosecution case, there is accusation against
the petitioner to have committed the murder of informant's son
by firing.

Learned counsel for the petitioner submits that



petitioner is in custody since 24.07.2021 and bears no criminal antecedent. He further submits that the informant is not an eye witness of the alleged occurrence and petitioner has falsely been implicated in this case by the informant. Learned counsel has submitted through supplementary affidavit that PW-1 Lalu Manjhi and PW-2 Harendra Manjhi have deposed before the trial court and they have not supported the prosecution case.

The learned A.P.P. for the State as well as learned counsel for the informant vehemently opposed the prayer for bail of the petitioner submitting that there is specific allegation against the petitioner and the same is corroborated by the postmortem report of deceased.

The learned trial court vide its letter no. 164 dated 19.09.2022 reported that two prosecution witnesses have already been examined and the trial court has sought eight months time for disposal of the said case.

Considering the facts and circumstances of the case, nature of allegation levelled against the petitioner coupled with postmortem report as well as material available on record, I am not inclined to grant bail to the petitioner. Accordingly, the prayer for bail of the petitioner is hereby rejected.

However, the learned trial court is directed to



conclude the trial within eight months from the date of receipt/production of copy of this order to the court concerned. If the trial is not concluded within the stipulated period, petitioner may renew prayer of bail.

(Alok Kumar Pandey, J)

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