

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60745 of 2021

Arising Out of PS. Case No.-47 Year-2020 Thana- SASARAM MUFFSIL District- Rohtas

1. Sushil Singh @ Munan Singh @ Sushil Kumar Singh, Son of Late Kanhaiya Singh, Resident of Village - Bahrar, P.O.- Kawandia, karwania, P.S.- Sasaram (Mu), Distt.- Rohtas (Bihar), Pin Code no.821305
2. Santosh Singh, Son of Late Kanhaiya Singh, Resident of Village - Bahrar, P.O.- Kawandia, karwania, P.S.- Sasaram (Mu), Distt.- Rohtas (Bihar), Pin Code no.821305

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishana Prasad Singh, Sr. Adv.
: Mr. Saket Kumar Singh, Advocate
For the State : Mr. Ajay Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

5 27-07-2022 Heard learned counsel for the petitioners, learned
APP for the State and learned counsel for the Informant.

Let the defect (s), as pointed out by the office, be removed within a period of four weeks from the date of resumption of physical filing and physical removal of defect.

In the present case, the petitioners seek bail in connection with Sasaram (Muffasil) P.S. Case No. 47 of 2020 registered for the alleged offences under Sections 302, 341, 323, 504 and 34 of the Indian Penal Code and Section 27 of the Arms Act.

As per prosecution case, the petitioners and co-



accused persons assaulted the family members of the informant and the petitioner no.2 caught hold of the husband of the informant and the petitioner no.1 shot him dead.

The learned senior counsel for the petitioners submits that the petitioners are innocent and the prosecution story is false and fabricated. In fact, some scuffle took place between the female inmates of both sides but the same has been exaggerated. It is not possible that a person to catch hold of the victim and another person to fire upon him without endangering his own life. No incriminating article has been recovered from the petitioners. Charge-sheet has been submitted in this case and the petitioners are in custody since 15.02.2020 and 19.02.2020, respectively.

Learned counsel for the informant and learned APP opposes the prayer for bail submitting that the informant is an eye-witness who has named the petitioners as assailants of her husband and there is specific allegation against the petitioner no.2 that he caught hold of the victim and then the petitioner no.1 shot him dead.

Perused the records.

Having regard to the fact that there is specific allegation against the petitioners, I am not inclined to grant bail



to the petitioners. Hence, the prayer for bail is rejected.

However, the trial court is directed to expedite the trial and conclude the same preferably within a period of one year.

(Arun Kumar Jha, J)

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