

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70371 of 2021

Arising Out of PS. Case No.-18 Year-2021 Thana- BHANGWANPUR HAT District- Siwan

Munna Sah Son of Sakaldeo Sah, Resident of Village- Kauriya Takht, P.S.-
Bhagwanpur Hat, District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijay Prakash Singh, Adcovate

For the Opposite Party/s : Mr. Ajay Kumar Jha, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

4 09-11-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Let the defect (s), as pointed out by the office, be
removed within a period of four weeks.

In the present case, the petitioner seeks bail in
connection with Sessions Trial No. 260 of 2021 arising out of
Bhagwanpur Hat P.S. Case No. 18 fo 2021 registered for the
alleged offences under Sections 302/34 of the Indian Penal
Code.

As per prosecution case, the petitioner and two other
co-accused persons had been threatening the uncle of the
informant and they had been demanding meat in free. On refusal
of the uncle of the informant, the petitioner stabbed the uncle of
the informant in his chest with a big knife. The petitioner was



apprehended by the public, which assembled at the place of occurrence while co-accuse persons made good their escape. The uncle of the informant died while he was being taken to the Hospital.

The learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Though the allegation against this petitioner is that he stabbed the uncle of the informant but no stab wound has been found on the person of the deceased. Rather, the injuries are from sharp cutting weapon. Learned counsel further submits that there is no independent eye witness to the whole occurrence and there is no direct/indirect evidence to establish the guilt of the petitioner. The petitioner is in custody since 12.02.2021 and charge-sheet has been submitted in this case.

Learned APP opposes the submission made on behalf of the petitioner submitting that there is specific allegation against the petitioner that he gave knife blow to the uncle of the informant and he died due to injuries caused in this assault. Learned APP further submits that the petitioner is having criminal antecedent and is accused for offences under Section 307 of IPC in two other cases.

Having regard to the submissions made



hereinabove and considering the specific nature of allegation against this petitioner, which is quite grave and serious, I am not inclined to grant bail to the petitioner. Hence, his prayer for bail is rejected.

However, the learned 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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