

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.13606 of 2022**

Arising Out of PS. Case No.-159 Year-2015 Thana- SATHI District- West Champaran

Binda Singh Son Of Late Lalan Singh Resident Of Village - Bhabhata, P.S. -  
Sathi, District - West Champaran.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

with  
**CRIMINAL MISCELLANEOUS No. 14998 of 2022**

Arising Out of PS. Case No.-159 Year-2015 Thana- SATHI District- West Champaran

Suresh Singh Son Of Vijay Singh Resident Of Village- Bhabhta, P.S.- Sathi,  
District- West Champaran (bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with  
**CRIMINAL MISCELLANEOUS No. 17205 of 2022**

Arising Out of PS. Case No.-159 Year-2015 Thana- SATHI District- West Champaran

Vijay Singh S/O Late Gopal Singh Resident Of Village- Bhabhta, P.S. Sathi,  
District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**  
(In CRIMINAL MISCELLANEOUS No. 13606 of 2022)  
For the Petitioner/s : Mr.Binay Kumar  
For the Opposite Party/s : Mr.Rajendra Nath Jha  
(In CRIMINAL MISCELLANEOUS No. 14998 of 2022)  
For the Petitioner/s : Mr.Ram Adya Singh  
For the Opposite Party/s : Mr.Mohammad Sufyan  
(In CRIMINAL MISCELLANEOUS No. 17205 of 2022)  
For the Petitioner/s : Mr.Ram Adya Singh  
For the Opposite Party/s : Mr.Rajendra Singh



**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR**  
**ORAL ORDER**

3      04-01-2023                      Heard learned counsel for the petitioners and  
learned A.P.P appearing on behalf of the State.

The petitioners are languishing in custody in a case registered for the offences punishable under Sections 147, 148, 149, 302, 120(B) of the Indian Penal Code and Section 27 of the Arms Act.

Learned counsel for the petitioner seeks permission to withdraw the petition with respect to petitioner Vijay Singh (Cr. Misc. No. 17205 of 2022).

Permission is accorded.

Accordingly, the petition with respect to petitioner Vijay Singh (Cr. Misc. No. 17205 of 2022) is dismissed as withdrawn.

The prosecution case as per F.I.R is that the husband and son of the informant were killed by the accused persons. It is alleged that co-accused Bhutkun Singh fired at the husband of the informant and thereafter all the accused persons including the



petitioners having riffle and farsa in their hand surrounded the husband and son of the informant and thereafter petitioner Vijay Singh fired at the head of the informant's husband and petitioner Suresh Singh and Awdhesh Sah fired at the informant's son, as a result of which the husband and son of the informant died at the spot.

It is submitted by learned counsel for the petitioners that petitioners are innocent and they have falsely been implicated in this case. The deceased was a man of criminal antecedent. He was made accused in several cases. He was killed by some unknown persons somewhere else. There is counter version of the occurrence also. The postmortem report of the deceased does not corroborate with the prosecution version. The petitioners are in custody since 12.08.2015.

Learned A.P.P appearing on behalf of the State has vehemently opposed the prayer for bail of the petitioners and submitted that there is specific



accusation against the petitioners and the trial is at the verge of conclusion.

In the facts and circumstances of the case, this Court is not inclined to grant bail to the petitioners Binda Singh (Cr. Misc. No. 13606 of 2022) and Suresh Singh (Cr. Misc. No. 14998 of 2022), for the present. The prayer for grant of bail to the petitioners stands rejected.

The Trial Court is directed to expedite the trial and conclude the same within a period of three months from today. The petitioners Binda Singh (Cr. Misc. No. 13606 of 2022) and Suresh Singh (Cr. Misc. No. 14998 of 2022) are at liberty to renew their prayer for bail, if the trial is not concluded within three months.

**(Sunil Kumar Panwar, J)**

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