

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15958 of 2023

Arising Out of PS. Case No.-222 Year-2022 Thana- BANIAPUR District- Saran

BINOD SINGH Son of Harimohan Singh R/V- Pandeypur, PS-Baniapur,
Dist- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Yadav

For the Opposite Party/s : Mr.Shailendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 01-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in a case instituted
for the offence under Sections 302/34 of the Indian Penal Code.

3. The allegation against the petitioner along with others
is of brutally assaulting the grand-father of the informant leading
to his death.

4. It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. He has
committed no offence. The allegation of killing the deceased is
against three persons namely petitioner, co-accused Dinesh Mahto
and Harimohan Singh. There is no specific overt against the
petitioner. Petitioner is languishing in judicial custody since
14.07.2022.



5. Learned APP for the State has opposed the application for bail and submitted that there is specific overt act of assaulting against the petitioner along with others. As per Postmortem report, it appears that the death was caused by hard and blunt substance, which corroborates the prosecution case. During investigation several witnesses have also supported the prosecution case.

6. Having heard the learned counsel for the parties and considering the nature of allegation, this court is not inclined to enlarge the petitioner on bail and, as such, his prayer for bail stands rejected.

7. The trial Court is directed to conclude the trial within nine months because the petitioner is languishing in judicial custody since 14.07.2022, failing which the petitioner will be at liberty to renew his prayer for bail.

(Sunil Kumar Panwar, J)

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