

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25896 of 2023

Arising Out of PS. Case No.-217 Year-2022 Thana- DURAULI District- Siwan

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ROHIT KUMAR SAH SON OF RAJ KUMAR SAH R/O VILL.-
DONKHURD, P.S.- DARAULI, DISTT.- SIWAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Anshul
		Mr. Ram Pravesh Nath Tiwari
For the Opposite Party/s	:	Mr. Rabindra Kumar

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

5 05-12-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in connection with Darauli P.S. case No. 217 of 2022 instituted for the offence under Sections 147, 341, 447, 323, 325, 307, 504, 506 and 302/34 of the Indian Penal Code.

It is a case of commission of murder by stabbing knife by this petitioner to the informant's son namely, Baliram Sah.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case due to family dispute. The F.I.R. has been lodged after the delay of 5 days. There is no allegation against the petitioner is that he gave repeated knife blow to the deceased. A statement has been made in para 3 of the petition that petitioner has no



criminal antecedent. It is further submitted that the petitioner is languishing in judicial custody since 19.09.2022.

Learned APP appearing for the state has vehemently opposed the prayer of regular bail and submitted that the petitioner is named in the FIR and the specific overt-act against the petitioner is that he gave knife blow at the right side of abdomen of informant's son namely, Baliram Sah due to which he sustained injury and succumbed to injury. The postmortem report annexed with the case diary corroborates the prosecution version in which the doctor opined that cause of death is shock and antemortem injury. It is further submitted that during investigation witnesses of the case have also supported the prosecution story.

Having heard the learned counsel for the parties and considering the fact that there is direction allegation against the petitioner, this court is not inclined to enlarge the petitioner on bail and, as such, his prayer for bail stands rejected.

The trial Court is directed to expedite the trial and conclude the same as soon as possible.

(Sunil Kumar Panwar, J)

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