

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23678 of 2023

Arising Out of PS. Case No.-217 Year-2021 Thana- SAHEBGANJ District- Muzaffarpur

Shambhu Sah S/O Sri Panna Lal Resident of Village- Pratap Patti, P.S.-
Sahebganj, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vaishnavi Singh

For the Opposite Party/s : Mr.Dinesh Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 20-07-2023 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

The petitioner has prayed for bail in connection with
Sahebganj P.S. case No. 217 of 2021 instituted for the offence
under Sections 302/34 of the Indian Penal Code.

As per allegation in the FIR, the petitioner along with
other co-accused have allegedly caused the death of the
informant's son namely, Sunil Kumar by stabbing with knife.

Learned counsel for the petitioner submits that the
petitioner is innocent and committed no offence. He has falsely
been implicated in this case. There is no allegation against the
petitioner is that he gave repeated knife blow to the deceased. It
is further submitted that the petitioner is languishing in judicial
custody since 07.02.2023.

Learned APP appearing for the state and learned



counsel for the informant have 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. The direct allegation against the petitioner is that he committed murder of the informant's son namely, Sunil Kumar by stabbing with knife. The postmortem report annexed with the case diary corroborates the prosecution version in which the doctor opined that cause of death is due to sharp pointed weapon. 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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