

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57739 of 2022

Arising Out of PS. Case No.-43 Year-2016 Thana- GURARU District- Gaya

SHIV SHANKAR SINGH SON OF LATE TANIK SINGH, R/O VILLAGE-
KONCHI, P.S.- GURUA, DISTRICT- GAYA

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shivendra Prasad, Adv.

For the Opposite Party/s : Mr. J.N. Thakur, APP

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

4 18-03-2023 Heard the learned counsel for the petitioner as well as
Mr. J. N. Thakur, the learned APP for the State.

The petitioner is seeking bail in connection with Guraru P.S. Case No. 43 of 2016, registered for offence punishable under sections 323, 341, 325, 307, 504/34 of the Indian Penal Code and later on, section 302 of the Indian Penal Code was added.

The informant (since deceased) was father of the petitioner. The petitioner is elder son of the informant. When the informant was milking cow in his house, the petitioner came and assaulted on his head with *Lathi*. The wife and son of the petitioner also assaulted the informant. Thereafter, all the accused persons also assaulted the younger son of the informant, namely, Rama Shankar Prasad with *Lathi* and *Danda*. The



informant and his younger son Rama Shankar Prasad died during course of the treatment.

The learned counsel for the petitioner has submitted that the petitioner is innocent. As a matter of fact, there was some dispute regarding partition of the family property and it was reason that he has been implicated in this case. The stage of the trial was called for from the court below, which shows that two witnesses have been examined and cross-examined.

On the other hand, Mr. J. N. Thakur, the learned APP has opposed the prayer for bail and submitted that there is allegation against the petitioner that he committed murder of his father and younger brother by giving *Lathi* blows and he is also accused in other four cases, as mentioned in paragraph 3 of the bail petition.

Considering the above-mentioned facts and circumstances, I do not find it to be a fit case for grant of bail. Accordingly, the prayer for bail is rejected.

It is expected that the trial should be concluded within one year.

(Nawneet Kumar Pandey, J)

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