

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57588 of 2023

Arising Out of PS. Case No.-136 Year-2022 Thana- GOPALPUR District- Gopalganj

DIPAK KUMAR @ DEEPAK KUMAR SINGH S/o- RAGHUNATH SINGH
@ RAGHUNI SINGH Village- Deurwan Gaddi Ps- Gopalpur Dist- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Adesh Raj

For the Opposite Party/s : Mr.Uday Chand Prasad

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 20-09-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in connection with Gopalganj P.S. Case No. 136 of 2022 instituted for the offence under Sections 302, 201/34 of the Indian Penal Code.

3. As per allegation in the FIR, the informant alleged that her son namely, Anup Kumar got missing on 31.5.2022. thereafter, the informant came to know that his son was being burnt after slitting his throat by the accused persons including the petitioner. When the informant reached there, she found dead body of her son. The alleged occurrence took place in the background of previous dispute between the deceased and the accused persons.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and committed no offence. The petitioner has falsely been implicated in this case as there was a previous dispute between the deceased and the petitioner. The informant is not an eye witness of the occurrence rather the FIR was lodged on the basis of hearsay witness. The petitioner has got no criminal antecedent as stated in para-3 of the bail petition and he is languishing in judicial custody since 2.3.2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail and submitted that the petitioner is named in the FIR who was specifically alleged along with other accused persons of stabbing the informant's son to death and subsequently burning the dead body of the deceased. The postmortem report of the deceased corroborates the prosecution wherein, multiple stab wounds are found on the chest of the deceased and cause of death is opined due to haemorrhage & shock caused by sharp cut object. Doctor has also found burn injury on the dead body of the deceased. During course of investigation, witnesses of the case have also supported the prosecution case.

6. Having heard the learned counsel for the parties and considering the fact that the offence committed by the petitioner along with others, is of a gruesome nature, 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 expedite the trial and conclude the same as soon as possible.

(Sunil Kumar Panwar, J)

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