

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61074 of 2022

Arising Out of PS. Case No.-175 Year-2022 Thana- ALOULI District- Khagaria

1. Balmiki Sada Son Of Suresh Sada Resident Of Village - Dahma, P.S.- Alauli, Dist.- Khagaria.
2. Arjun Sada Son of Chattu Sada Resident of village - Boddhi, P.S.- Baliya, District - Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shekhar Kumar Singh

For the Opposite Party/s : Mr. Kumar Veerendra Narayan

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 10-04-2023 Heard learned counsel for the petitioners and

learned A.P.P appearing on behalf of the State.

The petitioners are languishing in custody in a case registered for the offences punishable under Sections 302/34 of the Indian Penal Code.

The prosecution case as per F.I.R is that on 27.04.2022 at about 7:00 P.M, the petitioners along with other accused persons with common intention arrived at the house of the informant and threatened him to kill his son namely Ranjeet Kumar. It is further alleged that on 28.04.2022 at about 12 O'clock at night,



all the accused persons including the petitioners murdered his son by hanging. On hearing the noise of the accused persons when the informant went to the room of her son, all the accused persons including the petitioners fled away. The reason behind the occurrence is love affairs between the deceased and daughter of co-accused Chhathu Sada.

It is submitted by learned counsel for the petitioners that petitioners are innocent and they have falsely been implicated in this case. There is no specific accusation against the petitioners and a general and omnibus allegation has been levelled against the petitioners. There is no eye witness to the occurrence. The informant only alleged that when she entered into the room of her son, she saw the petitioners and other fleeing away from the place of occurrence. The petitioners are languishing in custody since 29.04.2022. A statement has been made in para 3 of the petition that petitioners have no criminal antecedent.



Learned A.P.P appearing on behalf of the State has vehemently opposed the prayer for bail of the petitioner and submitted that there is specific allegation against the petitioners and the informant in her re-statement and the other witnesses have supported the case of the prosecution against the petitioners. The postmortem report also suggests the cause of death as asphyxia due to strangulation.

Considering the fact that there is specific accusation against the petitioners, this Court is not inclined to grant bail to the petitioners. The prayer for grant of bail to the petitioners stands rejected.

The Trial Court is directed to expedite the trial and conclude the same at the earliest.

(Sunil Kumar Panwar, J)

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