

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63017 of 2022**

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

GOVIND KUMAR Son of Raghuni Singh @ Raghunath Singh R/V- Deurwa
Gaddi Tola, P.O and P.S- Bogha Bazar, Dist- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 67625 of 2022

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

PANKAJ KUMAR Son of Shambhu Singh R/v- Deurwa, Gaddi Tola
(Sangwadih), P.S.- Gopalpur, District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 63017 of 2022)

For the Petitioner/s : Mr.Uma Shankar Sharma, Adv.

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

For the Informant : Mr. Kumar Pratik, Adv.

(In CRIMINAL MISCELLANEOUS No. 67625 of 2022)

For the Petitioner/s : Mr. Sanjay Kumar, Adv

Mr.Lokesh Kumar Singh, Adv.

For the Opposite Party/s : Mr.Narsingh Tanti, APP

For the Informant : Mr. Shashi Ranjan Kumar, APP

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

ORAL ORDER

4 21-04-2023 Heard the learned counsel for the petitioners as well

as learned APPs for the State and also heard the learned counsel

for the informant.

In this case, the petitioners are seeking regular bail

in connection Gopalpur P.S. Case No. 136 of 2022, registered



for the offences punishable under Sections 302, 201 and 34 of the Indian Penal Code.

The informant is mother of the deceased. As per allegation, she received a message on her mobile phone that some miscreants after killing her son were cremating the dead-body. She went there and saw the dead-body in burning condition. She has stated further that these petitioners along with Deepak Kumar and Pawan Kumar and other unknown persons had committed murder of her son and cremated the dead-body.

Learned counsel for the petitioners has submitted that the petitioners are the persons of clean antecedents and they have falsely been implicated. The FIR does not reveal the motive as to why the accused persons had killed her son. He has also submitted that the informant claimed herself to be an eye-witness but it is not a fact and except confessional statement of the petitioner there is nothing in the case diary.

On the other hand, the learned APP as well as the learned counsel for the informant have submitted that the petitioners are named in the FIR. The eye witness, in paragraph No. 6 of the case diary, has also seen the petitioners and other accused persons inflicting knife blows on the person of the



deceased. The post-mortem report shows that six stab injuries were found on his person and some burnt injuries were also found. By drawing my attention towards paragraph No. 58 of the case diary, the learned counsel for the informant has submitted that the motive for committing murder of the deceased is that the deceased used to talk with the maternal sister of the petitioner and she, in paragraph No. 58 of the case diary, has stated that when her maternal brothers were planning to commit murder of the deceased, she apprised the informant about the conspiracy through mobile phone.

Considering the above-mentioned facts and circumstances, I am not inclined to grant bail to the petitioners. Accordingly, it is rejected.

The learned court below is directed to take every endeavor to conclude the trial expeditiously, preferably within a period of nine months.

(Nawneet Kumar Pandey, J)

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