

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70768 of 2022

Arising Out of PS. Case No.-76 Year-2021 Thana- BAGENGOLA District- Buxar

SURENDRA PRASAD SINGH Son of Late Gopal Mahto Resident of Village
- Pokharaha Tola, P.S.- Bagengola, District - Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Arun Kumar Pandey, Advocate Mr. Manish Kumar Tiwary, Advocate
For the Opposite Party/s	:	Dr. Mrityunjaya Kr.Gautam, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 18-01-2023 Heard learned counsel for the parties.

The petitioner has renewed his prayer for grant of regular bail in a case registered under sections 302, 307, 147, 148, 149, 341, 323 and 504 of the Indian Penal Code.

The earlier prayer for bail of the petitioner was rejected vide order dated 9.5.2022 (Annexure-1) passed in Cr. Misc. No. 55594 of 2021.

As per the prosecution case, the petitioner is said to have given a blow with an iron rod on the head of the informant's husband who died.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case. There is case and counter case between the parties, the case against the



petitioner having been registered after much delay without any explanation for the same. The petitioner is in custody since 30.7.2021 and has no criminal antecedent. He undertakes to cooperate in the trial.

The application for bail is opposed by learned A.P.P. for the State who referring to the deposition of the prosecution witnesses brought on record at Annexure-5 series submits that both PW-1 Tuntun Singh and PW-2 Sanju Devi have supported the prosecution case against the petitioner in their deposition in the trial.

Having heard learned counsel for the parties and taking into consideration the nature of allegation against the petitioner of having given a blow with an iron rod on the head of the informant's husband leading to his death and the same having been supported by the prosecution witnesses in course of trial, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

(Partha Sarthy, J)

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