

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74694 of 2022

Arising Out of PS. Case No.-314 Year-2021 Thana- BASANTPUR District- Siwan

Chandeshwar Prasad S/O Late Ramayan Prasad Resident Of Village- Bari
Lakari, P.S.- Basantpur (lakari Nabiganj O.P.), District- Siwan.

.. ... Petitioner/S

Versus

The State Of Bihar

... ... Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Bardhan Pandey

For the Opposite Party/s : Mr.Madhuri Lata

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 25-04-2023 Heard learned counsel for the petitioner,

learned counsel for the informant and learned APP for

the State.

The petitioner has filed the instant application

for grant of regular bail in a case registered for the

offences punishable under Sections 447, 341, 323, 324,

307, 379/34 of the Indian Penal Code and Section 302

of Indian Penal Code also.

The prosecution case in nutshell is that over a

petty dispute of splashing water from bucket, dispute

arose between the informant and petitioner along with

other co-accused persons. They started abusing the



informant and when her husband opposed, petitioner in connivance with other co-accused persons stabbed the husband of informant due to which he succumbed to injuries, during the course of treatment. It is further alleged that petitioner along with co-accused persons broke the suit case and snatched gold ornaments worth Rs. 3,00,000/- and Rs. 50,000/- which belongs to daughter of the informant.

It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case. There is land dispute between the parties. Petitioner is an old person. Moreover, he is in judicial custody since 02.04.2022. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

Learned APP appearing on behalf of the State and learned counsel for informant have vehemently opposed the prayer of the petitioner and submitted that witnesses have supported the prosecution case. There is



specific allegation of stabbing against the petitioner. Postmortem report also corroborates with the prosecution and from its perusal it appears that the cause of death is Hypodermic shock due to rupture of intestine by sharp object. On completion of the investigation, the I.O. has collected the sufficient material which also links the direct involvement of this petitioner in commission of the murder of the informant's husband and the charge-sheet has been filed finding the case true against the petitioner.

Having heard the learned counsel for the parties and considering the nature of allegation, this court is not inclined to enlarge the petitioner on bail and, as such, his prayer for bail stands rejected.

Learned trial court is directed to expedite the trial and conclude the same as early as possible.

(Sunil Kumar Panwar, J)

Nirajkrs/-

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