

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5268 of 2024

Arising Out of PS. Case No.-948 Year-2022 Thana- SHERGHATI District- Gaya

Sudama Paswan S/O- Kailash Paswan R/O- Village- Chitwan Kala, P.S.-
Sherghati, Dist.- Gaya.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Sinha

For the Opposite Party/s : Mr. Vinod Shanker Modi

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 19-04-2024 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

2. The petitioner has prayed for bail in connection with Sheghati P.S. Case No. 948 of 2022 instituted for the offence under Sections 341, 324, 307, 34, 302 of the Indian Penal Code and Section 27 of the Arms Act.

3. Prosecution case, in brief, is that on 9.10.2022 at about 6:00 A.M., due to scuffle in Durga Pooja idol immersion, the petitioner along with co-accused persons assaulted the father of the informant by means of knife due to which he sustained injury and died during course of treatment.

4. Learned counsel for the petitioner submits that the petitioner is innocent and committed no offence. He has falsely been implicated in this case due to dispute between parties. For the alleged occurrence of 9.10.2022, the FIR was lodged on



12.10.2022 after delay of three days. The petitioner has got no criminal antecedent as stated in para-3 of the bail petition and he is languishing in judicial custody since 5.4.2023.

5. Learned APP appearing for the state and learned counsel for the informant have opposed the prayer of regular bail and submitted that the petitioner is named in the FIR. Some witnesses have been examined during investigation vide para 7, 8, 9, 10 of the case diary in which they specifically stated that the petitioner Sudama Paswan assaulted the father of the informant by knife due to which he sustained injury and died. It is also submitted that postmortem report corroborates the prosecution case.

6. 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.

7. The trial Court is directed to expedite the trial and conclude the same within a period of nine months, failing which the petitioner may renew his prayer of bail.

(Sunil Kumar Panwar, J)

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