

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.877 of 2023

Arising Out of PS. Case No.-372 Year-2015 Thana- TEGHRHA District- Begusarai

Siddhv Kumar @ Sindhu Singh S/O Vir Bahadur Singh Resident of Village-
Barauni 1, Ward No.- 6, Jagaranath Tola, Barauni, P.S.- Teghra, District-
Begusarai, State- Bihar.

... .. Appellant/s

Versus

1. The State of Bihar
2. Mina Devi W/o Late Ranjeet Chaudhary Resident of Dariyapur
Vishwakarma Sthan, Ward No. 19, P.S.- Teghra, District- Begusarai

... .. Respondent/s

Appearance :

For the Appellant/s	:	Ms. Nausheen Fatma, Adv.
For the Respondent/s	:	Mr.Sadanand Paswan, SPP Mr. Udbhav, Adv.

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA
ORAL ORDER

8 04-04-2024 Heard learned counsel for the appellant, learned
Special Public Prosecutor for the State and learned counsel for
the Informant. Perused the case diary.

2. The instant appeal has been filed by the appellant
against the order dated 06.01.2023 passed by learned Exclusive
SC/ST Court at Begusarai whereby the prayer for bail of the
appellant in connection with Teghra P.S. Case No. 372 of 2015
under Sections 302, 34 of the Indian Penal Code. Section 3(II)
and 3(III) of the SC/ST Act and Section 27 of the Arms Act, was
rejected.

3. As per prosecution case, the allegation against the
appellant is of being involved in the commission of murder of



the husband of the Informant.

4. Learned counsel for the appellant submits that the appellant has falsely been implicated in the present case on mere suspicion. The appellant is not named in the F.I.R. rather his name has surfaced in this case during investigation in the confessional statement made by the co-accused before the police and, except confession, there is nothing on record against the appellant. The appellant is languishing in judicial custody since 08.07.2016 i.e. from more than seven years. The appellant has two criminal antecedents and in both of them, he is on bail. By way of filing supplementary affidavit, the learned counsel for the appellant has stated that on the date of alleged occurrence, the appellant was not present at the place of incidence. He has also stated that the appellant was in custody since 30.01.2015 in connection with another case (arising out of Teghra P.S. Case No. 394 of 2014) and was granted bail vide order dated 09.11.2022 passed by a Division Bench of this Court in Cr. App. (DB) No. 863 of 2017. Charge-sheet has been submitted in this case.

5. Learned Special P.P. for the State and the informant have vehemently opposed the prayer for grant of bail to the appellant stating that in para-65 of the case diary, the witness



Ankush Kumar has supported the case of the prosecution. It has further been submitted that the offence is grievous in nature and, thus, the appellant does not deserve bail.

6. Pursuant to the order of this Court dated 22.02.2024, the court below has sent its report dated 1st March, 2024 stating there in that out of 11 charge-sheeted witnesses, 10 witnesses have been examined and two are remaining, one I.O. and the another is one independent witness.

7. Considering the aforesaid facts and circumstances of the case and taking into account the rival submissions made on behalf of the parties as also keeping in view the report sent by the court below coupled with the fact that the offence alleged is serious in nature, this Court is not inclined to grant bail to the appellant at this stage.

8. Accordingly, the prayer for bail of the appellant, above named, is rejected with a direction to the court below to expedite the trial and conclude the same expeditiously preferably within a period of two months from the date of receipt/production of a copy of this order.

9. If the trial is not concluded within the aforesaid period of two months, the appellant will be at liberty to renew his prayer for bail before the court below which will be disposed



of on its merit without being prejudiced by this order.

10. The appeal stands disposed of.

(Rudra Prakash Mishra, J)

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