

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31314 of 2024

Arising Out of PS. Case No.-585 Year-2022 Thana- BANIAPUR District- Saran

-
1. Dilranjan Singh S/o Late Kunwar Singh R/o Taktah Bhati, P.S. - Baniapur, Distt. - Saran
 2. Dablu Singh @ W. Singh S/o Bharat Singh R/o Taktah Bhati, P.S. - Baniapur, Distt. - Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Arun Singh, Adv
For the Opposite Party/s	:	Mr. Bharat Bhushan, APP
For the Informant	:	Mr. Satish Kumar Singh, Adv
	:	Mr. Dinesh, Adv
	:	Mr. Kaushal Kishor, Adv

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 17-09-2024 Heard learned counsel for the petitioners, learned counsel for the informant and learned A.P.P for the State.

2. The petitioners have preferred this application for grant of regular bail in connection with Baniapur P.S. Case No. 585 of 2022 dated 12.12.2022 registered for the offence punishable u/s 147, 148, 149, 341, 323, 324, 326, 307, 302, 504 and 506/120B of the Indian Penal Code and Section 27 of Arms Act.

3. As per the prosecution case, on 11.12.2022 at about 9:00 A.M., 16 F.I.R. named accused persons including the petitioners and 10 unknown miscreants holding deadly weapons



by forming unlawful assembly came to the land of the informant bearing Khata no. 202 survey no.3566 area 13 khattha and started ploughing the said land. On being objected by the father of the informant, all the accused persons started assaulting him. When the informant's brother and his family members rushed to rescue his father then the petitioner no. 1 fired from katta to create terror. It is further alleged that both the petitioners stabbed with knife on the body of the father of the informant due to which he died on the spot. In the meantime, the informant's younger brother *Shobha Kant Dubey* came to rescue his father, he was stabbed with knife indiscriminately on his *Panjara* and other part by the accused persons *Deepak Singh* and *Munna Singh* having intention to kill and due to that he died. The informant and his brother *Umesh Dubey* were also assaulted with lathi by the co-accused *Sonu, Anish* and others.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. There is land dispute between the parties. It is further submitted that the charge sheet has already been submitted and out of eight charge-sheet witnesses, four witnesses have already been examined. The petitioners have clean antecedent as stated in para 3 of the bail petition. The



petitioner no. 1 is in custody since 13.12.2022 and the petitioner no. 2 is in custody since 22.02.2023 as stated in para 9 of the bail petition.

5. Learned A.P.P. for the State and learned counsel for the informant have vehemently opposed the bail petition of the petitioners by submitting that it is a double murder case and there are specific allegation against the petitioners who committed murder of the informant's father by stabbing knife. As per the post mortem report, the cause of death is hemorrhage and shock due to sharp object.

6. Considering the aforesaid facts and circumstances of the case as well as the heinous nature of allegation against the petitioners, this Court is not inclined to grant bail to the petitioners and the same is rejected in connection with Baniapur P.S. Case No. 585 of 2022 pending in the court of learned Additional Sessions Judge, Saran at Chapra.

7. The application stands rejected.

8. The learned trial court is further directed to expedite the trial and conclude the same at the earliest.

(Chandra Prakash Singh, J)

Jyoti/-

U		T	
---	--	---	--

