

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39299 of 2024

Arising Out of PS. Case No.-95 Year-2024 Thana- SHEKHPURA District- Sheikhpura

1. Dayanand Chaudhary Son of Late Muneshwar Chaudhary R/o Village - Bihita (Bihta), P.S. and District - Seikhpura.
2. Surendra Chaudhary Son of Late Muneshwar Chaudhary R/o Village - Bihita (Bihta), P.S. and District - Seikhpura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Niranjana Parihar, Advocate
For the Opposite Party/s	:	Mr. Kumar Veerendra Narayan, APP
For the Informant	:	Mr. Anil Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

3 26-07-2024 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in Sheikhpura P.S. Case No. 95 of 2024, instituted for the offences punishable under Sections 363, 365 of the Indian Penal Code and later on Section 302 was added.

3. The prosecution case, in short, is that, son of the informant received an unknown call and left the house, till then son of the informant did not return to his house and was murdered.



4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. Charge-sheet has been submitted in this case. No incriminating material has been recovered from the conscious possession of the petitioners. Learned counsel for the petitioner also submits that the petitioners are not named in the F.I.R. and their names have transpired on the basis of confessional statement of co-accused Pankaj Kumar which has got no evidentiary value. The petitioners are in custody since 21.02.2024 and have got no criminal antecedent.

5. Learned counsel for the informant and learned APP for the State have vehemently opposed the prayer for grant of bail to the petitioners. Learned counsel for the informant also submits that there is direct allegation against these petitioners of committing murder of the deceased. It is alleged that the petitioners hit the head of the deceased with brick till he breath his last. Hence, the petitioners do not deserve the privilege of grant of bail.

6. Considering the aforesaid facts and circumstances of the case, gravity as well as nature of allegations, this Court is not inclined to grant bail to the petitioners.

7. The prayer is rejected. The Trial Court is directed to



expedite the trial expeditiously. However, if the trial is not concluded within a period of nine months from the date of receipt/production, the petitioners will have liberty to renew their prayer for bail in the Court below itself.

(Rudra Prakash Mishra, J)

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