

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59196 of 2024

Arising Out of PS. Case No.-68 Year-2024 Thana- SULTANGANJ District- Bhagalpur

Amar Kumar @ Amar Bind Son of Ashok Bind R/V- Village- Nandanpur,
P.S.- Sultangaj, Distt.- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Yogesh Chandra Verma, Sr. Adv. Mr.Pramod Kumar Singh, Adv.
For the Opposite Party/s :		Mr.Navin Kumar Pandey, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 25-10-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Sultanganj P.S. Case No. 68/2024 dated 17.02.2024 (G.R. No. 890 of 2024) registered for the offence punishable u/s 302 read with Section 34 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per the prosecution case, the petitioner and the co-accused persons holding lethal weapons are alleged to have surrounded the house of the informant and started firing indiscriminately and the co-accused Viswanath Bind exhorted to kill, thereafter, Natuwa Bind and Randhir Bind caught hold of the informant's son and the petitioner Amar Bind inflicted blow



of iron khanti on his stomach, causing injury. On being objected by the informant, the co-accused Sawan Bind assaulted him with an iron rod, causing injury and they fled away by firing in the air. Further, the injured were taken to hospital where the informant's son succumbed to the injury.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There is a previous land dispute between the parties. The petitioner and the other relatives had filed Title Suit No. 33 of 2023 against the informant and others for cancellation of their sale deeds which were fraudulently obtained by making false signature of grandfather of the petitioner and the Title Suit is pending in the Court of Munsif-II, Bhagalpur. Learned counsel has further submitted that on the basis of forged and fabricated documents of sale deed, the informant tried to acquire the land compensation and it was objected by the petitioner's father and due to which the petitioner has falsely been implicated in the present case. Learned counsel has further submitted that there are two versions of the prosecution case. The petitioner has one criminal antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 08.04.2024.

5. Learned A.P.P. for the State has vehemently



opposed the bail petition of the petitioner and submitted that the re-statement of the informant mentioned in case diary in para-6, witnesses in their statement mentioned in case diary in para nos. 8, 9, 30, 31, 50, 51 and 52 have fully supported and corroborated the fact of the F.I.R. Learned counsel has also submitted that the petitioner hit the iron rod in the stomach of the deceased and he died due to excessive bleeding and shock. As per the post-mortem report of the deceased, the injury no. 1 was antemortem and dangerous to life in ordinary course of nature and caused by pointed, sharp edged cutting weapon.

6. Considering the aforesaid facts and circumstances of the case as well as the specific and heinous nature of allegation against the petitioner, I am not inclined to enlarge the petitioner above-named on bail.

7. Learned trial court is directed to expedite the trial at the earliest.

8. The application stands rejected.

(Chandra Prakash Singh, J)

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