

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61371 of 2023**

Arising Out of PS. Case No.-47 Year-2023 Thana- SISWAN District- Siwan

RAHUL SINGH @ RAHUL KUMAR SINGH S/O RAVINDRA SINGH R/O
VILLAGE- KACHNAR, PS. SISWAN, DIST. SIWAN.

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 61452 of 2023

Arising Out of PS. Case No.-47 Year-2023 Thana- SISWAN District- Siwan

PANKAJ SINGH @ PANKAJ KUMAR SINGH S/O SHALIGRAM SINGH
@ SHALIKGRAM SINGH R/O VILLAGE- KACHNAR, PS. SISWAN,
DIST. SIWAN.

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 61371 of 2023)

For the Petitioner/s : Mr.Jagjit Roshan

For the Opposite Party/s : Mr.Ram Anurag Singh

(In CRIMINAL MISCELLANEOUS No. 61452 of 2023)

For the Petitioner/s : Mr.Jagjit Roshan

For the Opposite Party/s : Mr.Ram Anurag Singh

**CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER**

5 07-02-2024 Heard learned counsel for the petitioners and

learned A.P.P. for the State.

2. The petitioners seek bail in connection with

Siswan P.S. Case 47/2023 G.R. No.747/2023, registered for the

offence punishable under Sections 302, 34, 120(B) of the Indian

Penal Code.



3. As per prosecution case, the petitioners and others are said to have assaulted indiscriminately the informant's son by means of knife. It is alleged that petitioners Rahul Singh @ Rahul Kumar, co-accused Ashirwad Singh thrashed the informant's son and assaulted him by means of knife as a result of which he sustained injury on his neck.

4. Learned counsel for the petitioners submits that petitioners are innocent and have falsely been implicated in this case due to previous enmity with the informant. The petitioners have surrendered before the learned trial court on 18.03.2023 and since they are in judicial custody. The petitioner Rahul Singh @ Rahul Kumar bears no criminal antecedent and petitioner Pankaj Singh @ Pankaj Kumar Singh bears one criminal antecedent. He further submits that occurrence took place on 26.02.2023 at 7.30 PM and inquest report was prepared 16 hours late since the alleged time of occurrence. He further submits that place of occurrence does not indicate the oozing of the blood on the ground, though, there are several stabbed wounds on the body of the deceased. He further submits that column 5 of the inquest report indicates that the bandage was found on the head of the deceased which shows that the deceased was treated earlier and it indicates the authenticity of



prosecution story is doubtful. The confessional statement of petitioners were extracted just to implicate the petitioners in the present case.

5. The learned A.P.P. for the State vehemently opposed the prayer for bail of the petitioners submits that there is allegation against the petitioners that they are said to have stabbed indiscriminately on the informant's son and the postmortem report also supports that the death is caused by six stabbed wounds.

6. Considering the facts and circumstances of the case, nature of allegation levelled against the petitioners coupled with the postmortem report and material available on record, I am not inclined to grant bail to the petitioner. Hence, prayer for bail of the petitioners stands rejected.

(Alok Kumar Pandey, J)

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