

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66604 of 2023

Arising Out of PS. Case No.-344 Year-2020 Thana- SONEPUR District- Saran

PAPPU SINGH @ PAPPU RAJ Son of Jaleshwar Singh R/o vill - Baijalpur,
P.S. - Sonapur, Distt. - Saran, Chapra

... .. Petitioner/s

Versus

THE STATE OF BIHAR PATNA

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Ms. Vaishnavi Singh Mr. Ajay Kumar Thakur Mr. Ritwik Thakur
For the Opposite Party/s	:	Mr. Md. Mushtaque Alam

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

3 11-01-2024 Heard learned counsel for the petitioner, learned
counsel for the informant and learned A.P.P. for the State.

2. The petitioner seeks bail in connection with
Sonapur P.S. Case No. 344 of 2020 registered for the offences
punishable under Sections 147, 148, 149, 342, 324, 307 and 302
of the IPC.

3. As per prosecution case, petitioner is said to
have assaulted the informant's uncle by means of sharp cut
weapon (Gadasi) as a result of which he sustained injury on
neck and he died on the spot. It is alleged that informant and
Deepak Kumar also sustained injury.

4. Learned counsel for the petitioner submits that
petitioner is in custody since 21.05.2023 and bears no criminal



antecedent. Learned counsel for the petitioner submits that the inquest report has been made earlier than that of lodging FIR and the investigation indicates that the whole story has been prepared in a pre-planned manner. Petitioner is quite innocent and has committed no offence as alleged in the FIR. Learned counsel further submits that nature of investigation indicates that the prosecution story is doubtful.

5. Learned counsel on behalf of the informant and learned A.P.P. for the State vehemently oppose the prayer for bail of the petitioner and submits that in para 9 as well as para 33 of the case diary the informant Prince Kumar, who sustained injury severely and Deepak Kumar, who also sustained injury grievously have stated that there is direct allegation against the petitioner who is said to have assaulted by means of sharp cutting weapon upon the neck of informant's uncle as a result of which he died on the spot and postmortem report also supported the story of prosecution and petitioner does not deserve bail.

Considering the facts and circumstances of the case, nature of allegation levelled against the petitioner coupled with postmortem report as well as material available on record, I am not inclined to grant bail to the petitioner. Accordingly, the prayer for bail of the petitioner is hereby rejected.



However, the learned trial Court is directed to expedite the trial as early as as possible.

(Alok Kumar Pandey, J)

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