

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82533 of 2023

Arising Out of PS. Case No.-97 Year-2022 Thana- SINGHWARA District- Darbhanga

Ranjit Sahani S/O Pradeep Sahni Resident Of Village-Sanahpur Bujurg, P.S-
Singhwara, District-Darbhangha

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun Kumar, Advocate

For the Opposite Party/s : Mr.Rajendra Nath Jha, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

4 16-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner seeks bail in connection with Singhwara P.S. Case No. 97 of 2022, registered on 01.06.2022 for the offences under Sections 147, 148, 149, 341, 323, 307, 354B, 380, 427, 452 of the Indian Penal Code and later on, Section 302 of IPC was also added.

3. This is the second attempt of the petitioner to seek bail from this Court as his prayer for bail was earlier rejected vide order dated 10.05.2023 passed in Cr. Misc. No. 12318 of 2023.

4. Learned counsel for the petitioner submits that the petitioner is in custody since 24.08.2022 and the trial has not proceeded any further and since 18.12.2023 no witness was



examined by the prosecution though, nine witnesses have been named in the charge sheet. Learned counsel further submits that it was a case of free fight between two groups, who are agnates, and the father of the informant sustained certain injuries and died after three months and it cannot be said that due to the injuries caused by the petitioner the father of the informant died.

5. As per prosecution case, the petitioner and other co-accused persons assaulted the informant and his family members and father of the informant received serious injury and died, later on, while undergoing treatment. The allegation against the petitioner is that he assaulted the father of the informant with iron rod on his head apart from assaulting the informant and others.

6. Learned APP opposes the submission made on behalf of the petitioner. Learned APP submits that the postmortem report shows cause of death was craniocerebral damage and its complications from ante-mortem injury caused by hard blunt object. Learned APP further submits that the petitioner and other co-accused persons were assailant and the counter case is an afterthought and it was lodged after 15 days and all the facts were considered when the prayer for bail of the petitioner was rejected earlier by this Court and there is no fresh



ground for reconsideration.

7. Having regard to the rival submissions and except for the delay in trial and continuous incarceration of the petitioner, no new fact has come on record, I am not inclined to grant bail to the petitioner and hence, the prayer for bail is rejected.

8. Learned trial court is directed to expedite the trial and conclude the same within next six months.

9. The Senior Superintendent of Police, Darbhanga is directed to ensure the presence of witnesses and accused persons on each and every date fixed by the learned trial court.

(Arun Kumar Jha, J)

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