

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17097 of 2024

Arising Out of PS. Case No.-38 Year-2022 Thana- KOCHAS District- Rohtas

Ramsagar Singh, aged about 30 years, Gender-Male, S/o Raj Narayan Singh,
R/o vill - Rampur, P.S. - Kochas, Distt. - Rohtas

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Mithilesh Kumar Singh, Advocate
For the Informant	:	Mr. Binod Murari Mishra, Advocate
For the Opposite Party	:	Mr. Ganesh Prasad Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

15 17-06-2025 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 Kochas P.S. Case No. 38 of 2022 dated 14.02.2022 registered for the offences punishable under Sections 147, 148, 149, 341, 307, 120B of the I.P.C. and Section 27 of the Arms Act. Later on, Section 302 of the I.P.C. was also added.

3. This is second attempt on behalf of the petitioner for grant of regular bail. Earlier prayer for bail of the petitioner was rejected in Cr. Misc. No. 14980 of 2023 vide order dated 12.07.2023 by the Co-ordinate Bench of this Court with a direction to the learned trial court to expedite the trial and conclude the same as soon as possible, annexed as Annexure-1



to the present bail petition.

4. In compliance of the order dated 16.05.2025, a report with regard to the stage of the trial of the present case has been received from the court of learned District and Additional Sessions Judge-X, Rohtas at Sasaram, vide Letter No. 14 dated 27.05.2025, in which it has been reported that on 05.10.2024, charges were framed against the sole accused, namely, Anu Devi and four witnesses, namely, P.W.-1 Bipin Paswan examined on 07.01.2025, P.W.-2 Ramashankar Singh examined on 25.02.2025, P.W.-3 Dev Kanya Devi examined on 19.03.2025 and P.W.-4 Kabita Devi examined on 22.03.2025 out of ten chargesheeted witnesses and case was fixed on 10.06.2025 for prosecution evidence.

5. As per the prosecution case, on the order of the co-accused Anu Devi, the petitioner alongwith other co-accused Guddu Singh fired on the informant's son, namely, Dhanji Singh, due to which, he sustained gun shot injury and thereafter he died.

6. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in the present case. It is further submitted that the deceased had died on 28.02.2022 i.e., after ten days of the alleged occurrence.



During the course of investigation, no cogent material has come against the petitioner and the statement of Ramashankar Singh who is the father of the deceased has been recorded by police in which he claims himself to be an eye witness but he has stated that the petitioner was already present near the egg shop alongwith other accused persons then it is not correct that the petitioner went to the house of the deceased which also shows that neither the informant nor the father of the deceased are the eye witnesses to the alleged occurrence. It is further submitted that the place of occurrence is the egg shop where it might be possible that several co-villagers would be present there but not a single independent witness has come forward to support the prosecution case except the family members of the deceased. It is further submitted that during the course of investigation, it has also come that the deceased had illicit relationship with the wife of the co-accused Guddu Singh, therefore, the petitioner has no motive to commit the alleged occurrence. It is further submitted that the deceased was taken to the hospital at Kochas just after the alleged occurrence but there is no injury report on the record except the postmortem report. No incriminating article has been recovered from his possession. The petitioner has no concern with the alleged offence. It is further submitted



that the wife of the petitioner is suffering from various diseases i.e., Gall bladder stone, thrombocytopenia and bulky uterus but no prescription of the doctor is annexed with the bail petition to suggest that the wife of the petitioner has been treated by the doctor. The petitioner has one criminal antecedent as stated in paragraph no. 3 of the bail application. The petitioner is in custody in this case since 28.03.2022.

7. Learned counsel for the informant and learned A.P.P. for the State have vehemently opposed the prayer for bail petition of the petitioner. Learned counsel for the informant has further submitted that on the order of the co-accused Annu Devi, the petitioner alongwith other co-accused Guddu Singh fired on the informant's son, namely, Dhanji Singh, due to which, he sustained gun shot injury and thereafter he died. He has further submitted that the paragraph no. 38 of the case diary which is the postmortem report of the deceased also corroborates the prosecution story in which the cause of death is opined due to several brain injury (gun shot).

8. Considering the aforesaid facts and circumstances of the case as well as nature of accusation against the petitioner, this Court is not inclined to grant bail to the petitioner and the same is rejected in connection with Kochas P.S. Case No. 38 of



2022, pending in the court of learned A.C.J.M.-I, Sasaram, Rohtas.

9. The application stands rejected.

10. The learned trial court is directed to expedite the trial of the petitioner and conclude the same at the earliest.

(Chandra Prakash Singh, J)

U.K./-

U		T	
---	--	---	--

