

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20255 of 2025

Arising Out of PS. Case No.-279 Year-2024 Thana- MADHAURAH District- Saran

Santosh Narayan @ Chotu Singh Son of Satyendra Narayan @ Satyendra Narayan Singh Resident of Village - Takina, P.S.- Marhowrah, District - Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Piyush Parasar, Advocate
For the Opposite Party/s	:	Mr. Satyendra Narayan Singh, APP
For the Informant	:	Mr. Anshuman Jaipuriyar, Advocate

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

4 18-07-2025 Heard learned counsel for the petitioner, learned counsel for the informant and learned APP for the State. Perused the case diary.

2. The petitioner seeks bail in connection with Marhaurah P.S. Case No. 279 of 2024 instituted for the offences under Sections 147, 148, 149, 341, 323, 307, 302, 506, 504/34 of the Indian Penal Code.

3. Prosecution story, in short, is that, accused persons including the petitioner assaulted the deceased Suresh Singh by means of lathi, iron rod, bricks, stone, due to which he sustained injuries and was taken to the hospital but, he died in course of treatment.



4. Learned counsel for the petitioner submitted that petitioner has falsely been implicated in the present case. Learned counsel for the petitioner submitted that general and omnibus allegation has been made against these petitioner. No specific overt act is alleged against these petitioner. He further submitted that there is land dispute between the parties. Learned counsel further contended that from perusal of the FIR, it is evident that FIR was lodged after the conduction of the post-mortem of the deceased. It has been submitted on behalf of the petitioner that the petitioner is in custody since 18.12.2024 and has no criminal antecedent.

5. Learned A.P.P. for the State and learned counsel for the informant vehemently opposed the prayer for grant of bail to the petitioner. Learned counsel for the informant further submitted that trial has commenced and one witness has also been examined. Learned counsel for the informant relied upon a decision of the Hon'ble Apex Court reported in **2024 SCC OnLine SC 3539 (X. vs. State of Rajasthan & Anr.)**, wherein in paragraph no. 14, the Hon'ble Apex Court has held as under:

“14. Ordinarily in serious offences like rape, murder, dacoity, etc., once the trial commences and the prosecution starts examining its witnesses, the



Court, be it the Trial Court or the High Court should be loath in entertaining the bail application of the accused.”

6. Considering the aforesaid facts and circumstances of the case as also the present stage of the trial, this Court is not inclined to grant bail to the petitioner.

7. Accordingly, the prayer for grant of bail to the petitioner is, hereby, rejected.

8. Learned Trial Court is directed to expedite the trial.

(Rudra Prakash Mishra, J)

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