

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18939 of 2025

Arising Out of PS. Case No.-80 Year-2020 Thana- SIWAN MUFFASIL District- Siwan

Sujit Sah @ Sujeet Kumar Sah Son of Late Jaynarayan Sah Resident of
village - Itwa Bichala Tola, P.S.- Pachrukhi, Dist.- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Kumari Anupam, Advocate

For the Opposite Party/s : Mr. Ram Sumiran Rai, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 25-06-2025 Heard learned counsel for the petitioner and learned APP
for the State. Perused the case diary.

2. The petitioner seeks bail in connection with S.T.
No. 308 of 2022 arising out of Siwan Muffasil P.S. Case No. 80
of 2020 instituted for the offence under Sections 302, 307 & 34
of the Indian Penal Code.

3. Prosecution case in short is that two persons came
on the motorcycle and opened fired at informant's sister
(deceased). In the incident, informant's neighbour also sustained
gunshot injury.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 21-02-2022. Petitioner
bears five criminal antecedents, as per disclosure made in



paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. Petitioner is not named in the FIR. Name of the petitioner has transpired in this case during investigation. There is no specific allegation against the petitioner even as per the FIR. Rather, allegation is general and omnibus in nature. Petitioner was not even put on T.I. Parade. Petitioner was remanded in this case from JB Nagar PS Case No. 304 of 201 and police recorded his confessional statement, wherein he has allegedly confessed his guilt and the same has no evidentiary value in the eye of law.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. It is submitted that postmortem report corroborates the allegation levelled in the FIR. Referring to impugned order, it is submitted that trial has commenced and one witness is also examined.

7. Considering the aforesaid facts and circumstances of the case, there being direct allegation against the petitioner, which is corroborated by postmortem report as also from the confessional statement of the petitioner coupled with the fact that trial has also commenced, hence, this Court is not inclined



to grant bail to the petitioner. Prayer for grant of bail to the petitioner is accordingly *rejected*.

8. However, petitioner will be at liberty to renew his prayer of bail, if the trial is not concluded within a period of six months.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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