

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31229 of 2025

Arising Out of PS. Case No.-225 Year-2024 Thana- MUNGER MUFFASIL District- Munger

Sunil Roy, S/o - Rudal Roy @ Rabin Roy, R/o Village- Bhaiya Ram Roy Tola,
Tika Rampur, P.S- Mufassil (Munger), Distt.- Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manendra Kumar Sinha, Adv.

For the State : Mr. Suresh Prasad Singh, APP

For the Informant : Mr. Uma Kant Mishra, Adv.

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

3 13-08-2025 Heard Mr. Manendra Kumar Sinha, learned counsel
for the petitioner, Mr. Suresh Prasad Singh, learned APP for the
State and Mr. Uma Kant Mishra, learned counsel for the
informant.

2. Petitioner seeks regular bail in connection with
Mufassil P.S. Case No. 225 of 2024 dated 15.06.2024 registered
for the offence punishable under section 302 read with section
34 of the Indian Penal Code.

3. As per the prosecution's story, on 11.06.2024 at
about 5:00 P.M., the informant along with his father, namely
Bahadur Rai, were going to the house of Mahesh Yadav to
demand their money and in the meantime, the FIR named
accused persons, including the petitioner, armed with lathis and
ironrods, brutally assaulted both of them, due to which, the
informant's father succumbed to his injuries.



4. The main submissions advanced by petitioner's counsel are that as per the allegation, this petitioner and co-accused persons, who are said to be four in number, brutally assaulted the informant and his father by means of ironrods and lathis and as per the informant, after the incident of assault, his father was initially treated at Sadar Hospital, Khagaria, from where he was referred to Jawaharlal Nehru Medical College Hospital, Mayaganj, Bhagalpur, and thereafter, the informant's father was taken to private hospital, where he later died and his postmortem examination was conducted at Sadar Hospital, Munger, however, regarding the factum of informant's father's medical treatment at several hospitals as detailed in the FIR, neither any documentary proof is available nor did the investigating officer obtain any document relating to the medical treatment of the deceased from the said hospitals, which in itself falsifies the allegations levelled in the FIR. It is further submitted that as per the allegations, the informant was badly assaulted by the accused persons but he revealed before the investigating officer that he sustained very simple injury due to which he was not treated and this fact also falsifies the prosecution's allegation, in fact there is series of cases in between both the parties due to which a false case has been



prepared after the death of the informant's father, in retaliation.

5. On the other hand, learned counsel for the informant has vehemently opposed the bail prayer of the petitioner and submits that the informant's father was badly assaulted and murdered by the accused persons, including the petitioner, and his postmortem report is available in the case diary and further, the petitioner has criminal antecedents of six cases.

6. Learned APP for the State has also opposed the prayer of the petitioner.

7. Having considered the seriousness of the allegations appearing against this petitioner from the FIR, supported by the deceased's postmortem report, and also taking into account the petitioner's six criminal antecedents detailed in the petition, this Court is not inclined to release him on bail. Accordingly, his bail prayer stands rejected.

8. As the petitioner has been languishing in jail since 28.11.2024, so, considering this aspect, the trial court is directed to expedite the trial of the petitioner.

(Shailendra Singh, J)

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