

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28938 of 2025

Arising Out of PS. Case No.-124 Year-2024 Thana- SAMASTIPUR District- Samastipur

1. Annu Kumar S/o Jagdish Ram R/o Village - Kashipur, P.S. - Samastipur Town, Dist. - Samastipur
2. Sapna Kumari D/o Jagdish Ram R/o Village - Kashipur, P.S. - Samastipur Town, Dist. - Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Uma Shankar Singh, Advocate
	:	Mr. Dilip Kumar Roy, Advocate
	:	Mr. Mobassar Ali, Advocate
For the Opposite Party/s	:	Mr. Md. Aslam Ansari, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

4 06-08-2025 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in connection with S.T.No. 537 of 2024 arising out of Samstipur (T) P.S. Case No. 124 of 2024 instituted for the offences under Sections 302/34 of the Indian Penal Code.

3. Prosecution story, in short, is that on 02.06.2024 at about 11 PM, the informant heard a commotion outside his house and saw a group of persons brutally assaulting his brother which resulted in his death. It is further alleged while some accused fled away, the petitioners were apprehended by local



villagers at the spot.

4. Learned counsel for the petitioners submitted that petitioners are innocent and have falsely been implicated in the present case. Learned counsel for the petitioners submits that general and omnibus allegation has been made against these petitioners. No specific overt act is alleged against these petitioners. Learned counsel further submitted that the only allegation against the petitioners is that they were members to the group who were assaulting the deceased. It has been submitted on behalf of the petitioners that the petitioners are in custody since 03.06.2024 and have no criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners stating that the allegation against the petitioners is heinous in nature and they were apprehended on the spot by the local villagers. Learned APP further submitted that as per impugned order, there are five charge-sheeted witnesses and out of them, three have already been examined and, therefore, the petitioners may not be released on bail.

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



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

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

(Rudra Prakash Mishra, J)

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