

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68074 of 2024

Arising Out of PS. Case No.-70 Year-2024 Thana- BEGUSARAI TOWN District- Begusarai

Mithun Kumar Sah @ Mithun Sah @ Mithu Sah, Son of Late Shiv Sah @ Shivji Shah, R/O Vill.- Baghi, Ward no. 25, P.S.- Town, Lohiya Nagar O.P., Dist.- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 80543 of 2024

Arising Out of PS. Case No.-70 Year-2024 Thana- BEGUSARAI TOWN District- Begusarai

Vinod Kumar Sah @ Binod Kumar Sah @ Vinod Sah Son of Late Shiv Jee Sah Resident of Village - Baghi, Ward No.25, Police Station - Town (Lohiya Nagar O.P), District - Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 68074 of 2024)

For the Petitioner/s : Mr. Bipin Kumar, Advocate
For the State : Mr. Gauri Shankar Gupta, APP
For the Informant : Mr. Shubhesh Pandey, Advocate
Mr. Amit Kumar Mishra, Advocate

(In CRIMINAL MISCELLANEOUS No. 80543 of 2024)

For the Petitioner/s : Mr. Bipin Kumar, Advocate
For the State : Mr. B.N. Pandey, APP
For the Informant : Mr. Shubhesh Pandey, Advocate
Mr. Amit Kumar Mishra, Advocate

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

5 20-02-2025 Heard the parties.

2. The petitioners have prayed for regular bail in a case registered for the offence punishable under Section 302 and 506/34 of the Indian Penal Code and Section 27 of the Arms



Act.

3. The case of the prosecution is that the petitioners knocked the door of the informant. When the informant opened the door, the petitioners along with others started abusing. When the informant objected, Mithu Sah directed Vinod Sah to fire. On this Mithu Sah caught the informant and Vinod Sah on the order of Mithu Sah assaulted with fist on the back of the informant. When he tried to save himself, Vinod Sah fired with pistol. It is the case of the prosecution that during treatment the informant died.

4. Learned counsel for the petitioners submits that stage of trial was called for. From perusal of the stage of trial it transpires that one witness is yet to be examined. All other witnesses are examined. From perusal of the report of the trial court it transpires that the trial court has given the estimated time for conclusion of trial which is 5 months.

5. The application for bail is vehemently opposed by learned APP for the State as well as by the learned counsel for the Informant.

6. Having heard learned counsel for the parties and considering the above facts and circumstances of the case, I am not inclined to grant bail to the petitioners. If trial is not



concluded within six months, one month more time may be granted.

7. Accordingly, the present bail application stands rejected. The petitioner is at liberty to renew his prayer for bail after 6 months if the trial is not concluded.

(Ashok Kumar Pandey, J)

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