

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82752 of 2024

Arising Out of PS. Case No.-347 Year-2024 Thana- DARIYAPUR District- Saran

1. Arvind singh S/o Shashi Bhushan singh R/o vill - Samaspura, P.s.- Dariyapur, Distt.- Saran at Chapra
2. Prem Sharan Singh @ Sunil Singh S/o Shashi Bhushan Singh R/o vill - Samaspura, P.s.- Dariyapur, Distt.- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 03-03-2025 Heard learned counsel for the petitioners and Mr. Sanjay Kumar Pandey, learned APP for the State.

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

3. The case of the prosecution is that the agnates of the informant namely Prem Sharan Singh, Arvind Singh and Shashi Bhushan Singh were attempting to usurp the property of the informant as she was not having son. On 22.06.2024, all the accused persons started cutting the soil from the fields of the informant and when the husband of the informant objected, he was being threatened of dire consequences. It is further alleged



that on 22.06.2024 at about 10:30 P.M., all the accused persons being armed with weapon arrived and Prem Sharan Singh and Arvind Singh assaulted with *knife* on the stomach of the husband of the informant, due to which he died.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. They have falsely been implicated in this case. They have got no criminal antecedent. During course of investigation, the informant has given her re-statement and she has stated that the husband of the informant was sleeping before the door of Rohit Singh. In Para Nos. 7 & 8 witnesses have stated that on hearing *hulla*, they reached to the place of occurrence. Mohar Lal Singh (husband of the informant) told them that the petitioners have assaulted him with *knife*. It is further alleged that on his instance, a call was made to 112 and police arrived there. It is also submitted that in this case, on fardbeyan, there is no date as to when the fardbeyan was made. But from perusal of the FIR, it transpires that the P.S. Case was registered on 23.06.2024. It is further submitted that the petitioners are languishing in judicial custody since 22.06.2024.

5. Learned APP appearing for the state has opposed the prayer of regular bail and submits that there is direct allegation



against the petitioners are that of stabbing and from perusal of the *post-mortem* report, it transpires that the doctor has found a stab wound on chest.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is not inclined to enlarge the petitioner on bail at this stage, accordingly this application stands rejected.

7. However, the petitioners may renew their prayer for bail after six months if the trial does not complete. Meanwhile, the trial court is directed to expedite the trial.

(Ashok Kumar Pandey, J)

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