

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89318 of 2024

Arising Out of PS. Case No.-344 Year-2020 Thana- SONEPUR District- Saran

Pappu Singh @ Pappu Raj son of Jaleshwar Singh Resident of Village-
Baijalpur, PS-Sonepur District -Saran Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Thakur, Adv. Mrs. Vaishnavi Singh, Adv. Mr. Purushottam Kumar, Adv. Mr. Ritwik Thakur, Adv.
For the Opposite Party/s :		Mr. Pawan Kumar Chaurasia, APP

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

3 14-02-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with
Sonepur P.S. Case No. 344 of 2020 registered for the offences
punishable under Sections 147, 148, 149, 342, 324, 307 and 302
of the IPC.

3. As per prosecution case, petitioner is said to
have assaulted the informant's uncle by means of sharp cut
weapon (Gadasi) as a result of which he sustained injury on
neck and he died on the spot. It is alleged that informant and
Deepak Kumar also sustained injury.

4. Learned counsel for the petitioner submits that



earlier bail prayer of the petitioner has already been rejected on merit by this Court vide order dated 11.01.2024 passed in Cr. Misc. No.66604/2023. He further submits that the trial Court report indicates that till date out of 08 witnesses, only two witnesses have been examined in this case. He further submits that the delay of trial is not attributable to the petitioner as he is in custody since 21.05.2023 and bears no criminal antecedent. Learned counsel for the petitioner submits that the inquest report has been made earlier than that of lodging FIR and the investigation indicates that the whole story has been prepared in a pre-planned manner. Petitioner is quite innocent and has committed no offence as alleged in the FIR. Learned counsel further submits that nature of investigation indicates that the prosecution story is doubtful.

5. Learned A.P.P. for the State vehemently opposed the prayer for bail of the petitioner and submits that in para 9 as well as para 33 of the case diary the informant Prince Kumar, who sustained injury severely and Deepak Kumar, who also sustained injury grievously have stated that there is direct allegation against the petitioner who is said to have assaulted by means of sharp cutting weapon upon the neck of informant's uncle as a result of which he died on the spot and postmortem



report also supported the story of prosecution. Hence, petitioner does not deserve bail. He further submits that earlier prayer of bail of the petitioner has already been rejected by this Court on merit.

6. A report regarding state of trial has been sought by this Court and in pursuance of the said direction, the trial court vide letter no. 09 dated 22.01.2025 has sent its report which reveals that out of eight prosecution witnesses only two witnesses have been examined.

7. Considering the facts and circumstances of the case, nature of allegation levelled against the petitioner coupled with postmortem report as well as material available on record, I am not inclined to grant bail to the petitioner. Accordingly, the prayer for bail of the petitioner is hereby rejected.

8. However, the learned trial Court is directed to expedite the trial as early as as possible.

(Alok Kumar Pandey, J)

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