

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85435 of 2024

Arising Out of PS. Case No.-310 Year-2023 Thana- RUPASPUR District- Patna

Abhyanand Sinha @ Suman @ Abhyanand Suman Sinha Son of Late
Ramanugrah Singh @ Rama Anugrah Singh Resident of Muhalla- Vijay
Nagar, Road No. 6, P.S.- Rupaspur, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Y.C.Verma, Sr. Advocate
Ms. Priyanka Singh, Advocate
For the Opposite Party/s : Md. Mushtaque Alam, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 14-02-2025

1. Heard learned counsel for the parties.

2. The petitioner has renewed his prayer for grant of regular bail in connection with Rupaspur P.S. Case no.310 of 2023 registered under sections 302, 120B and 34 of the Indian Penal Code and section 27 of the Arms Act.

3. As per the prosecution case, the informant states that as a result of firing by the petitioner with his revolver, his father sustained gunshot injury and died.

4. Learned Senior counsel appearing for the petitioner submits that the earlier prayer for bail of the petitioner was rejected vide order dated 24.4.2024 passed in Cr. Misc. no.85130 of 2023. Admittedly the informant is not an eye witness to the alleged occurrence. Referring to the statement



made in paragraph nos.14 to 16 of the case diary, it is submitted that even as per prosecution case, the petitioner had a right of private defence. The petitioner has remained in custody since 4.5.2023 and there is no progress whatsoever in the trial in the learned trial Court. The petitioner undertakes to cooperate in the trial and to abide by any conditions which may be laid by this Court for his release on bail. It is lastly submitted that the petitioner is a respectable person of the society having been Principal in the Government Degree College at Rajgir, the head of the History Department at B.D. College, Patna and the Registrar of the Patliputra University.

5. The application for bail is opposed by learned A.P.P. for the State and learned counsel for the informant. Learned counsel for the informant submits that so far as the merits of the case is concerned, the application for bail has already been rejected vide order dated 24.4.2024 (Annexure-1). The petitioner is the assailant of the deceased and the informant undertakes to produce the witnesses without any delay and positively within a period of four months from today.

6. Having heard learned counsel for the parties and taking into consideration the allegation against the petitioner in the FIR wherein he is described to be the assailant of the



deceased together with the petitioner having remained in custody since 4.5.2023 and trial having commenced in the learned trial Court, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

7. The informant is directed to produce the witnesses on each date fixed in course of trial in the learned trial Court. The learned trial Court is directed to conclude the trial at the earliest preferably within a period of six months.

8. On completion of the aforesaid period, in case the trial is still not concluded for no fault of the petitioner, he may renew his prayer for bail in the learned trial Court.

(Partha Sarthy, J)

Saurabh/-

U		T	
---	--	---	--

