

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9043 of 2015

Arising Out of P.S. Case No. -286 Year- 2014 Thana -FATUHA District- PATNA

Sanni Thakur, Son of Mahesh Thakur, resident of village – Bankipur
Gorakh, P.S. Fatuha, District - Patna

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance:

For the Petitioner/s : Mr. Jay Kumar

For the Opposite Party/s : Mr. Durgesh Nandan (App)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

4 06-05-2015

Heard learned counsel for the petitioner, learned

A.P.P. as well as learned counsel appearing for the informant.

The petitioner seeks regular bail in a case registered
under Sections 302/34 of the Indian Penal Code.

The informant stated that his younger son Manish
Kumar disclosed that Amit Kumar took Praveen (elder son of the
informant) to his old house situated in Mosimpur Kurtha. At about
7:11 P.M., the informant got information on telephone that his son
was injured by 3-4 persons and they had closed him inside a
house. The informant saw his son lying injured. There were many
injuries caused by knife on different parts of the body of Praveen
Kumar. The villagers disclosed that Amit Kumar, Kamlesh Kumar
Paswan, Sanni Thakur and one unknown person were seen fleeing
away from the place of occurrence. Their hands and clothes were

stained with blood. Learned counsel for the petitioner submits that there is no eye witness of the occurrence. The deceased was seen distributing sweets at about 7:00 P.M. as he got a new motorcycle.

Learned counsel for the informant as well as learned A.P.P. has stated that during the course of investigation, one Shyam Prasad, in Para 21 of the case diary, disclosed that he saw the petitioner and others fleeing away from the place of occurrence. Other witnesses have also stated the version of the informant.

Having considered the fact that Amit Kumar was seen taking the deceased Praveen Kumar along with him and thereafter the petitioner and others were seen fleeing away from the house in which Praveen Kumar was found lying injured and there were blood stains on the hands and clothes of the accused persons, I am not inclined to enlarge the petitioner on bail in Fatuha P.S. Case No. 286/2014. Accordingly, the same is rejected.

The trial court is directed to expedite the trial and conclude the same within one year from the date of receipt/production of copy of this order.

(Prabhat Kumar Jha, J)

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