

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32341 of 2016

Arising Out of PS.Case No. -260 Year- 2015 Thana -RAMKRISHNANAGAR District- PATNA

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1. Kunal @ Kunal Kumar son of Vinay Kumar resident of Village- Mirdaha Chak, P.S.- Harnaut, District- Nalanda, presently residing Mohalla- Khemani Chak, P.S.- Ram Krishna Nagar, District and Town Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar

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

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 16-09-2016 Heard learned counsel for the petitioner and the State.

The petitioner is in custody in connection with Ram Krishana Nagar P.S.Case No.260 of 2015 registered under Sections 302, 201, 34 of the Indian Penal Code, pending in the court of Susri Jyostna, Judicial Magistrate, 1st Class, Patna.

The prosecution case, in brief, is that the son of the informant was working as Khalasi in the Tempo of the petitioner. It is further alleged that the petitioner did not pay the remuneration to the son of the informant, hence he left the job. Further case of the informant is that on 01.11.2015 at about 8 A.M petitioner along with Baudha caught hold the son of the informant and accused petitioner stabbed the son of the informant with knife resulting death of the son of the informant.

It is submitted on behalf of the petitioner that the petitioner is in custody since 03.11.2015. Charge sheet has been submitted in this case. The petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. The informant is not an eye witness to the alleged occurrence. No blood stain has been found at the place of occurrence.

On behalf of the State and the informant, it is submitted that the petitioner is named in the FIR. Specific allegation of stabbing the son of the informant is alleged against him. As per FIR the informant is an eye witness to the alleged occurrence.

Having considered the facts and circumstances of the case, I am not inclined to grant bail to the petitioner and same is rejected. The trial court is directed to expedite the trial.

(Sudhir Singh, J)

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