

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.25365 of 2016

Arising out of PS.Case No. -143 Year- 2015 Thana -KURTHA District- JEHANABAD

Jay Kumar, Son of Badri Das, resident of village Dharampur Pondil, P.S. Kurtha District Arwal.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Paras Nath, Advocate.

For the Opposite Party : Mr. Sri Chandrasen Prasad Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 09-08-2016 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner is languishing in custody since 06.11.2015 in connection with Kurtha P.S. Case No. 143 of 2015 for the offences instituted under Section 302 of the IPC.

It is alleged that the petitioner stabbed the brother of the informant as a result of which, he died.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 06.11.2015 and the charge sheet has been submitted in the present case. There is no allegation of tampering of the witnesses alleged against the petitioner. He has got no criminal antecedent. As per the F.I.R., single knife blow is said to have been given by the petitioner to the informant's

brother. There is no repetition on the part of the petitioner. It is, at best, a case under Section 304 of the IPC.

On behalf of the State it has been submitted that the petitioner is named in the F.I.R. and there is specific allegation against the petitioner for causing injury on the vital part of the body of the deceased by knife.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioner. The same is rejected in Kurtha P.S. Case No. 143/2015, pending in the court of the learned C.J.M. Arwal. Anyhow, the court below is directed to take all necessary steps to expedite the trial.

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(Sudhir Singh, J)