

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44579 of 2018

Arising Out of PS. Case No.-115 Year-2018 Thana- NAUBATPUR District- Patna

Abinash Kumar @ Raj Sinha, Son of Ram Sihashan Prasad, Resident of
Village- Karanja, P.S.- Naubatpur, Dist- Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satya Narayan Prasad

For the Opposite Party/s : Mr. Murlidhar

**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

4 06-10-2018 Heard learned counsel for the petitioner and
learned APP for the State.

The petitioner seeks bail in a case registered under
Section 302 of the Indian Penal Code.

Petitioner is said to have intervened the wrangle
between the informant and her husband whereupon he was
assaulted by her husband and on the following morning
petitioner stabbed her husband to death by means of knife.

It is submitted by learned counsel for the
petitioner that no such occurrence as alleged ever took place.
Petitioner has no concern with the aforesaid occurrence. I.O. has
not found any blood on the place of occurrence. As a matter of
fact, aforesaid occurrence has been committed by some other
person at some other place and petitioner has been falsely
implicated in this case. Petitioner has been languishing in



custody since 22.03.2018.

On the other hand, learned APP for the State vehemently opposing the bail petition submitted that informant and father of the petitioner in Para-9 of the case diary have unanimously stated that the petitioner stabbed to death the deceased by means of knife and doctor has also found three sharp cut injury on the stomach of the deceased which proved fatal.

In the facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail. Prayer for bail of the petitioner is rejected.

However, learned Trial Court is directed to dispose of the case as expeditiously as possible preferably within nine months from the date of receipt/production of a copy of this order and S.P. concerned is directed to ensure production of the witnesses in the case on each and every date fixed without fail.

Let a copy of this order be communicated to S.P. concerned by fax for needful.

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(Prakash Chandra Jaiswal, J)

