

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39602 of 2019

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

AKINDRA YADAV @ AKINDRA SINGH Son of Awadhesh Singh Resident
of village- Malpur, P.S.- Khushrupur, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gouranga Chatterjee, Adv
For the Opposite Party/s : Mr.Raj Kishore Singh, APP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

5 26-09-2019 Heard learned counsel for the petitioner and
learned APP for the State.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 302, 120(B),34 of the Indian
Penal Code and 27 of the Arms Act.

Petitioner is main assailant of the deceased.

Learned counsel for the petitioner has drawn
attention of the Court to the case diary and submits that police
has not found any sign of blood at the place of occurrence while
inspecting the same. Hence, it creates doubt that murder was
committed at the claimed place or anyone has seen the
occurrence. He further submits that the material available on the
record would reveal that the police proceeded for investigation
and the seizure list and inquest report were prepared prior to
receiving the first information by the police from the informant.



Considering the fact that the eye witnesses who have supported the allegation before the police cannot be believed only for the slackness and incompetency of the Investigating Officer who has not mentioned anything while examining the place of occurrence whether there was blood or not. Therefore, apparently the Investigating Officer was negligent to properly investigate the case of murder wherein allegation is of commission of firearm injury. Therefore, I am not inclined to enlarge the petitioner on bail in connection with Khushrupur P.S.Case No.115 of 2018(Sessions Trial No.344 of 2019) pending in the court of learned 4th Additional Sessions Judge, Patna City, Patna. Prayer is refused.

The learned Trial Court is directed to expedite the trial.

(Birendra Kumar, J)

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