

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53826 of 2019

Arising Out of PS. Case No.-78 Year-2019 Thana- JAHANABAD District- Jehanabad

Kundan Kumar Son of Late Vijay Prasad Soni Resident of Mohalla - Maurya
Nagar, P.S. and District – Jehanabad

with

CRIMINAL MISCELLANEOUS No. 64606 of 2019

Arising Out of PS. Case No.-78 Year-2019 Thana- JAHANABAD District- Jehanabad

Gunjan Kumar S/o Sanjay Prasad R/o village- Dharampur, P.S.- Kako,
District- Jehanabad ... Petitioner

Versus

The State of Bihar ... Opposite Party in both cases

Appearance :

(In Criminal Miscellaneous No. 53826 of 2019)

For the Petitioner : Mr.Kunwar Digvijay Singh, Advocate
For the State : Mr.Dinesh Singh, Addl Public Prosecutor
For the Informant : Mr. Dharendra Kr.Sinha, Advocate

(In Criminal Miscellaneous No. 64606 of 2019)

For the Petitioner : Mr.Pushpendra Kumar Singh, Advocate
For the State : Mr.Satyendra Nr Singh, Addl Public Prosecutor
For the Informant : Mr. Dharendra Kr.Sinha, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

6 18-12-2019 Heard learned counsel for the petitioners, learned Additional Public Prosecutor for the State as well as learned counsel appearing for the informant and also perused the case diary.

Petitioners are accused in a case registered for the offence punishable under sections 302,201/34 of the Indian Penal Code.

Informant has stated that on 29.1.2019 at 9 PM he received an information that the dead body of his 16/17 years old son was lying in the Krishi Farm at Kako Road. Accordingly, FIR was lodged against unknown persons.

It is submitted on behalf of the petitioners that the petitioners are not named in the First Information Report. From perusal of the same, it also appears that in fact there is no eye



witness to the factum of murder of informant's son. Petitioners are in custody since 4.2.2019. It is further submitted that nothing incriminating has been recovered from the possession of the petitioner Gunjan Kumar.

Learned counsel for the informant submits that from perusal of paragraphs 39, 44 and 50 of the case diary, it is apparent that from confessional statement of petitioner Kundan Kumar, recovery of blood stained cloths of accused Saurav Kumar has been made during investigation. It is further submitted that the charges have already been framed and some prosecution witnesses have also been examined during the trial.

In view of the aforesaid development in the trial, prayer for bail of both the petitioners is refused.

Let the trial be expedited and concluded preferably within a period of one year from the date of receipt of a copy of this order, failing which the petitioners will have the liberty to renew their prayer for bail.

(Prabhat Kumar Singh, J)

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