

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.80455 of 2018

Arising Out of PS. Case No.-106 Year-2018 Thana- TAJPUR District- Samastipur

=====

Jitendra Kumar S/o- Mahavir Singh @ Mahavir Mahto, Resident of Village -
Raipur Bujurg, P.S.- Sarairanjan, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Abhay Shankar Singh

For the Opposite Party/s : Mr. Anand Kishore Choudhary

=====

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

ORAL ORDER

3 20-02-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in connection with Tajpur
(Halai O.P.) P.S. Case No. 106 of 2018 registered under Sections
302/34 of the Indian Penal Code.

Brother of the informant is said to have been
eliminated by some unknown miscreants. During the course of
investigation, petitioner was apprehended and petitioner and his
wife in their confessional statement have confessed committing
the murder of the deceased over teasing the wife of the
petitioner by the deceased and on the basis of their confessional
statement, sickle used in the assault, shirt and blood stain vest
were recovered.

It is submitted by learned counsel for the petitioner



that the petitioner is quite innocent and has committed no offence. He has been falsely implicated in this case by the informant due to animosity. He is not named in the FIR. Deceased was himself having criminal antecedent as Tajpur (Halai O.P.) P.S. Case No. 258 of 2007 is pending against him. He also used to tease the wife of the petitioner. The petitioner has no criminal antecedent and has been languishing in custody since 16.04.2018.

On the other hand, learned APP for the State vehemently opposing the bail prayer of the petitioner submitted that the petitioner and his wife have confessed their guilt in committing murder of the deceased and on the basis of their inculpatory confessional statement, the weapon used in the assault and blood stain attire were recovered. Hence, he does not deserve bail.

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

However, learned court below is directed to conclude the trial as expeditiously as possible preferably within nine months from the date of receipt/production of a copy of this order and S.P. Samastipur 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.
Samastipur by fax for needful.

(Prakash Chandra Jaiswal, J)

rohit/-

U		T	
---	--	---	--

