

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 32997 of 2020

Arising Out of PS. Case No.-39 Year-2017 Thana- JANDAHA District- Vaishali

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Ajay Kumar, aged about 30 years (M) son of Dhatal Singh @ Jugeshwar Singh @ Tugeshwar Singh, resident of Village - Panapur Bateshwar Nath PS - Jandaha, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Umesh Chandra Verma, Adovcate with Ms. Rashmi Jha, Advocate
For the State	:	Mr. Md. Arif, APP

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH

ORAL JUDGMENT

Date : 27-01-2021

Heard Mr. Umesh Chandra Verma, learned counsel along with Ms. Rashmi Jha, learned counsel for the petitioner and Mr. Md. Arif, learned Additional Public Prosecutor (hereinafter referred to as the 'APP') for the State.

2. The petitioner is in custody in connection with Jandaha PS Case No. 39 of 2017 dated 14.03.2017, instituted under Sections 341, 323, 324, 307 and 302/34 of the Indian Penal Code.

3. This is the second attempt for bail as earlier such prayer was rejected by Hon'ble Justice Smt. Nilu Agrawal, as she then was, on 19.02.2018 in Cr. Misc. No. 3870 of 2018.



4. The allegation against the petitioner is specific of inflicting knife blow in the stomach of the deceased who was son of the informant.

5. Learned counsel for the petitioner submitted that though there is specific allegation of inflicting knife blow in the stomach of the deceased leading to his death, but during investigation it has come that the deceased had eve-teased some girl and the villagers had killed him. It was submitted that the allegations are false. Learned counsel submitted that there was past enmity as has been disclosed in the FIR Itself. Learned counsel submitted that the petitioner is in custody since 07.02.2017.

6. Learned APP submitted that there cannot be any false implication as no motive has been alleged to do so and further that the father being an eye witness has stated that it was the petitioner who had inflicted knife blow, which is corroborated by the postmortem report. It was submitted that there being no other reason, it is obvious that there was some grudge which the petitioner had against the deceased due to which he took the extreme step of killing him.



7. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, the Court is not inclined to grant bail to the petitioner.

8. Accordingly, the application stands dismissed.

9. However, the Court below is directed to expedite the trial.

(Ahsanuddin Amanullah, J.)

P. Kumar

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