

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4733 of 2021

Arising Out of PS. Case No.-530 Year-2019 Thana- PIRBAHOR District- Patna

Ramesh Kumar, Son of Late Karu Ram, R/O - P.M.C.H. Jhoparpatti, RSB
Canteen, P.S.- Pirbahore, Dist.- Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Saifur Rahman, Adv.

For the Opposite Party/s : Mrs.Sangeeta Sharma, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 11-08-2021 Heard learned counsel for the petitioner and learned
APP for the State through virtual Court proceedings.

The petitioner seeks bail in a case registered for the
offence punishable under Sections 302/ 34 of the Indian Penal
Code.

The prosecution case, in brief is that as per FIR, it is
alleged that on 08.10.2019 the complainant got a call that his
elder son is found in injured condition in PMCH. When he
reached there he saw his son has died and his face and head was
still bleeding. He was crushed by the stone to death. The local
people told that his son was killed by Ramesh Kumar
(petitioner), Sunny Kumar and Neeraj Kumar.

Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this



case. The petitioner is in jail custody since 08.10.2019. The petitioner has one criminal antecedent which is mentioned in para 3 of the bail petition. Another co-accused has been granted bail by a co-ordinate Bench of this Court vide order dated 05.06.2020 passed in Cr. Misc. No.3448/2020.

Learned APP for the State vehemently opposed the prayer for bail petition and submits that charge-sheet has been submitted in this case. Allegation against the petitioner and other accused persons is that they killed the victim by smashing his head with the piece of bricks. Police has recovered blood stained brick and the blood stained soil from the place of occurrence, which is mentioned at para 4 of the case diary. The informant in his re-statement at para 5 of the case diary has fully supported the prosecution case and witnesses Prawej Alam at para 32 and Pramod Kumar at para 33 of the case diary has seen the petitioner hitting the victim with brick. The report of F.S.L, Patna, which confirms the blood of a human on the brick and the soil recovered.

Considering the specific overt act against the petitioner, I am not inclined to enlarge the petitioner on bail. Accordingly, the prayer for bail of the petitioner is rejected in connection with Pirbahore P.S. Case No. 530/2019 from the



Court of learned C.J.M., Patna.

Accordingly, this application is dismissed.

However, the trial court is directed to expedite the trial of the petitioner.

(Anjani Kumar Sharan, J)

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