

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12977 of 2022

Arising Out of PS. Case No.-69 Year-2020 Thana- DUMARIYA District- Gaya

=====

Dharmendra Bharti @ Dharmendra Bhuian S/o Late Krishna Bharti R/o
Village- Nawkadih, Pipra, P.S.- Dumariya, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Sudhir Kumar Sinha, Advocate

For the Opposite Party/s : Mr.Anita Kumari, APP

=====

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 21-12-2022 Heard learned counsel for the petitioner and learned APP
for the State.

Let the defect (s), as pointed out by the office, be
removed within a period of four weeks.

In the present case, the petitioner seeks bail in
connection with Dumaria P.S. Case No. 69 of 2020 registered for
the alleged offences under Sections 302/34 of the Indian Penal
Code.

As per prosecution case, the brother of the informant was
stabbed when he went outside of his house to attend the call of
nature. The informant named the petitioner and co-accused Babulal
Bhuiyan who might have stabbed his brother due to some earlier
dispute.

The learned counsel for the petitioner submits that the
petitioner is innocent and has been falsely implicated in this case.



The informant is not an eyewitness and no person has come forward who might have seen the occurrence. The motive behind the occurrence is missing and there is no material available against this petitioner for his accusation in this case. The petitioner is in custody since 19.01.2021 and charge-sheet has been submitted.

Learned APP opposes the prayer for bail submitting that witnesses in paragraphs 6, 7 and 8 of the case diary have stated about the deceased taking the name of the petitioner who stabbed him and fled away from the spot. They have also stated about illicit relationship between the petitioner and the wife of the deceased and the *panchayati* taking place in the village on this matter.

Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the specific nature of allegation against the petitioner which is quite grave and serious, I am not inclined to enlarge the petitioner on bail.

Hence, the prayer for bail is rejected.

However, the learned trial court is directed to expedite the trial and conclude the same at the earliest and preferably within a period of nine months.

(Arun Kumar Jha, J)

Rajnish/-

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

