

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13170 of 2022

Arising Out of PS. Case No.-337 Year-2018 Thana- CHIRAIYA District- East Champaran

1. PARAMHANS SAH Son of Nawal Sah @ Nawal Kishor Sah Resident of Village - Arariya, P.S.- Kundwa Chainpur, District - East Champaran.
2. Chhotu Sah @ Amit Kumar Son of Nagendra Sah Resident of Village - Arariya, P.S.- Kundwa Chainpur, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar

For the Opposite Party/s : Mr.Surendra Kumar ,App

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 23-08-2022 Learned counsel for the petitioners is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioners and learned A.P.P. for the State.

The petitioners have preferred this application for grant of regular bail in a case registered u/s 302 and 201 read with 34 of the Indian Penal Code.

As per the prosecution case, allegation against the petitioners and the other co-accused persons is of having taken the son of the informant on the pretext of having tea from the Court premises, where the petitioner and others were seeking bail on the basis of a compromise between the informant and the



petitioner's side, at 1.00 P.M. and, thereafter, he did not return and later on, in the evening, the dead body of the informant was recovered from near a canal and, accordingly, it is alleged that the petitioners and the co-accused persons had killed the son of the informant.

Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. The petitioners are accused in one more criminal case as stated in para 3 of the bail petition. The petitioners are in custody since 22.12.2021.

Learned A.P.P. for the State has vehemently opposed the prayer for bail by submitting that it is the petitioners and the co-accused persons who took the informant's son on the pretext of having tea, and, thereafter, the informant's son's dead body was found in the orchard. It is further submitted that before the murder of the informant's son, the deceased was lastly seen with the petitioners and the co-accused persons.

Considering the aforesaid facts and circumstances of the case, I am not inclined to enlarge the petitioners on bail.

Learned trial Court is directed to expedite the trial and conclude the same preferably within nine months.

This application is rejected.

(Chandra Prakash Singh, J)

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