

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15546 of 2022

Arising Out of PS. Case No.-153 Year-2021 Thana- ROSHANGANJ District- Gaya

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Dilip Sao @ Deelip Saw Son of Late Laxman Sao Resident of Village -
Fatehpur , P.s.- Raushanganj and Distt.- Gaya. Petitioner

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr.Manish Kumar No2, Advocate

For the Opposite Party/s : Mr.Mukeshwar Dayal, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

3 26-07-2022 Heard learned counsel for the petitioner and the

State.

The petitioner is in judicial custody in connection with Raushanganj P.S. Case No. 153 of 2021 under sections 302 and 34 of the Indian Penal Code and section 25(1-b)A, 26 and 35 of the Arms Act.

As per the FIR, lodged by the informant's father, the petitioner herein came to his house and took his son to his home stating that he wants to repay the amount that he had taken from him. Half an hour later, he heard "hulla" and rushed towards home of the petitioner herein where he saw dead body of his son lying there with bloods all around his body. Accordingly, he lodged this FIR against the petitioner and others unknown accused persons.

In this case, case diary was called for on 11.7.2022 which has since been received.



Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. It has further been submitted that there is no eye-witness to the occurrence.

Mr. Bharat Bhushan, the learned APP who represents the State submitted that a bare perusal of para-5 of the case diary shows that dead body was found from the house of the petitioner herein. He further submitted that the mother and brother of the deceased have also supported the prosecution story in paragraphs 9 and 10 of the case diary.

Considering the nature of allegation as also the fact that there is specific allegation against this petitioner of assault and killing of the son of the informant by giving fatal blow on his body, this Court is not inclined to grant him the privilege of bail. Accordingly, the prayer for bail of the petitioner is rejected.

The trial court is directed to expedite the trial and conclude the same within a period of one year.

(Rajiv Roy, J)

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