

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18867 of 2022

Arising Out of PS. Case No.-394 Year-2020 Thana- RIVILGANJ District- Saran

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Tinku Miya, Son of Sahmud Miya, R/O Village- Panchpatra, P.S.- Revilganj,
District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Brij Kishor Mishra

For the Opposite Party/s : Mr. Satya Nand Shukla

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CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

4 12-09-2022 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner seeks bail in connection with

Revilganj P.S. Case No. 394 of 2020, registered for the

offences punishable under Sections 120(B), 302/34 of the

Indian Penal Code.

As per allegation, petitioner along with his

associates took the informant's son to Panchpatra River at

Chhath Ghat, where they assaulted the victim with knife

causing grievous injuries on his body. Thereafter, the victim

was taken to the hospital where he succumbed to the

injuries.



The learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He also submits that there is no eye-witness to the alleged occurrence. He further submits that even as per the F.I.R. his name has emerged only on account of suspicion and even after investigation, there is no direct evidence collected which may connect the petitioner with the alleged offence.

The petitioner has been languishing in jail since 29.10.2020.

It is also stated in paragraph no. 2 of the petition that the petitioner has not moved earlier before this Court for grant of anticipatory bail or regular bail.

It has further been stated in paragraph no. 3 that the petitioner has no criminal antecedent.

However, the learned APP for the State opposes the prayer for bail submitting that the alleged offence is serious in nature. He further submits that accused-petitioner has made confessional statement before the Police and in pursuance of the confessional statement, knife has been



recovered as is evident from para 32 of the case-diary.

Considering the aforesaid facts and circumstances,
I am not persuaded to enlarge the petitioner on bail.

The prayer for bail is accordingly rejected.

At this stage, learned counsel for the petitioner
submits that charge-sheet in this case has already been
submitted and prays for speedy trial.

Ld. Trial Court is requested to ensure that there is
no unnecessary delay in conclusion of the trial.

The learned counsel for the petitioner is directed to
remove all the defects, if any, pointed out by the office
within a period of one month and the Registry is directed to
issue the certified copy of this order only after removal of
office objections.

(Jitendra Kumar, J)

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