

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40650 of 2021**

Arising Out of PS. Case No.-659 Year-2020 Thana- TURKAULIYA District- East
Champaran

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SATYENDRA TIWARI Son of Late Ramayan Tiwari Resident of Village -
Dhangarha, P.S.- Dumariya Ghat, Distt.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Brajesh Kumar Singh

For the Opposite Party/s : Mr.APP.

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**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

4 02-03-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Let the defects, as pointed out by the office, be
removed within four weeks of start of normal functioning of the
physical court.

Petitioner seeks bail in connection with Turkauliya
(Raghunathpur) P.S. Case No. 659/ 2020, G.R. Case No. 7034/
2020 registered for the offence punishable under Section 302 of
the IPC.

As per prosecution case, the petitioner inflicted knife
in the abdomen of the informant's father, who died during
course of his treatment.

Learned counsel for the petitioner submits that
petitioner has clean antecedent and he has falsely been



implicated in the present case. He further submits that there is no eye witness of the occurrence and only on the basis of suspicion he has been implicated in this case. He further submits that it appears from the seizure list that dagger has been recovered from the pocket of the petitioner but no signature of the petitioner is found on the seizure list. Petitioner is in custody since 17.09.2020.

On the other hand, learned Additional Public Prosecutor vehemently opposed the prayer of bail submitting that there is direct allegation of assault against the petitioner. He further submits that the other witnesses have fully supported the allegation as alleged in the FIR. He further submits that petitioner was caught at the time of occurrence.

Considering the aforesaid facts, I am not inclined to enlarge the petitioner on bail and accordingly, his prayer for bail stands rejected.

However, the learned trial court is directed to expedite the trial.

(Rajesh Kumar Verma, J)

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