

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47566 of 2021**

Arising Out of PS. Case No.-577 Year-2019 Thana- KHAJANCHI HAT District- Purnia

Ajit Kumar Bhagat @ Ajit Kumar Son of Jai Narayan Bhagat R/O -
Anandpuri, P.S.- K. Hatt (Sahayak), Distt.- Purnia

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Y. C. Verma, Sr. Advocate with
	:	Mr. Sanjeev Kr. Singh, Advocate.
For the Informant	:	Mr. Rajendra Narain Singh, Sr. Advocate.
For the Opposite Party/s	:	Mr. Satyendra Narayan Singh, APP.

**CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER**

8 04-08-2022 Learned counsel for the petitioner is permitted to remove defect(s), as pointed out by the office, if any, within a period of four weeks from today.

Heard Mr. Y. C. Verma, learned senior counsel for the petitioner, Mr. Rajendra Narain Singh, learned senior counsel for the informant as well as learned Additional Public Prosecutor for the State.

The application for grant of bail to the petitioner, above named, who has been made accused and put behind the bar in connection with K. Hatt (Maranga) P. S. Case No. 577 of 2019 registered for the offences punishable under Section 363 of



the Indian Penal Code and later on Sections 302, 201, 120(B), 411 of the Indian Penal Code.

As per the prosecution case, it is alleged that on 10.08.2019 at about 09:00 A.M. the maternal uncle and aunt proceeded for treatment, however, they did not return. The informant tried to contact him on his mobile phone but to no avail. It is further submitted that when the informant reached at the door of his uncle and aunt and saw that the door was locked and this petitioner, who used to do business of goat was also not there, he also tried to contact with the petitioner but he did not respond, thereafter, the F.I.R. has been instituted.

Learned counsel appearing on behalf of the petitioner submitted that there is no eye-witness to the alleged occurrence and save and except the confessional statement of one Md. Samir @ Nanku, there is no other cogent material suggesting the complicity of the petitioner. It is next submitted that even the dead bodies of both his uncle and aunt have not been found till date and further, this petitioner is in custody since 19.11.2019, though the charges have been framed and trial is going on.

On the other hand, learned counsel for the informant opposes the bail application and submits that earlier



the prayer for bail of the petitioner was rejected in Cr. Misc. No. 9662 of 2020 vide order dated 24.06.2020 and it is a case of double murder wherein ample material has come during the course of investigation and moreover, out of six charge sheeted witnesses, two of them have already been examined and the trial is likely to be concluded in a short span of time.

Learned APP for the State also opposes the bail application and submits that apart from the statement of Md. Samir @ Nanku, there is confessional statement of the petitioner, who himself confessed his guild and the SIM Card provided by Md. Samir @ Nanku has been recovered from his possession.

Having considered the submissions made on behalf of the parties and taking into account the fact that earlier the bail application of the petitioner has been rejected by the learned co-ordinate Bench of this Hon'ble Court and moreover, the trial is in the midst and out of six witnesses two of them have already been examined, this court is not persuaded to enlarge the petitioner on bail, however it is expected that the learned trial court will conclude the trail preferably within a period of five months, failing which the petitioner would be at liberty to renew his prayer for bail. It is needless to say that the learned trial



court will take all necessary steps. It is further directed that the Superintendent of Police, Purnea will also extend all the assistance in order to ensure the presence of the official witnesses so that the trial may be concluded within the period stipulated.

Accordingly, the present application stands dismissed.

(Harish Kumar, J)

shakir/-

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

