

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58371 of 2021**

Arising Out of PS. Case No.-183 Year-2020 Thana- CHAKIA District- East Champaran

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KUNDAN THAKUR Son of Fudena Thakur Resident of Village - Bulachak,
P.S.- Chakia, Distt.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... ..

opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Priyesh Kumar, Advocate

For the Opposite Party/s : Mr.APP

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

(The proceedings of the Court are being conducted through Video Conferencing and the
Advocates joined the proceedings through Video Conferencing from their residence.)

4 12-01-2022 Heard learned counsel for petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in a case
registered for the offences punishable under Section 302/34 of
the Indian Penal Code and Section 27 of the Arms Act.

Petitioner had earlier moved this Court for regular bail
vide Cr. Misc. No. 5644 of 2021 which was rejected on
12.04.2021.

Informant is a widow of deceased, who has alleged
in her FIR that on 23.05.2020 at about 9:00 P.M., she was in her

house along with her family and her husband, when FIR named accused Sabitesh Singh, Harendra Rai and Kundan Thakur came on two motorcycles and asked her husband to accompany them and thereafter her husband went with them on his motorcycle but when he did not return then his father-in-law and brother-in-law went to search him and it is alleged that three FIR named accused caught hold the deceased and allegation against petitioner Kundan Thakur is to have fired upon him as a result of which, he died.

It has been submitted on behalf of petitioner that petitioner is innocent and no motive has been assigned for murdering the husband of informant. It has come during investigation that there was dispute between Sabitesh Kumar and deceased with respect to refund of Rs. 2 lacs and that is stated to be cause of murder.

As there is directed allegation against the petitioner of having fired upon the deceased, causing his death, I am not inclined to grant bail to the petitioner and accordingly bail petition is rejected.

It is further stated that charges has already been framed against the petitioner in the month of September, 2021 as such trial court is directed to expedite and conclude the trial

within one year from the date of receipt/production of a copy of
order passed by this court.

(S. Kumar, J)

Rajiv/veena-

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