

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60063 of 2021

Arising Out of PS. Case No.-36 Year-2018 Thana- HASPURA District- Aurangabad

Rahul Kumar @ Rahul Sharma @ Rahul Kumar Sharma Son of Jay Nandan
Sharma Resident of Village - Haibaspur, P.S.- Haspura, Distt.- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Md. Aslam Ansari, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 27-06-2022 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Haspura
P.S. Case No. 36 of 2018 registered for the offence under
Section 302, 498A and 120B of the Indian Penal Code and
Section 27 of Arms Act.

The accused/petitioner is named in the F.I.R. and is in
custody since 14.03.2018.

The allegation against the petitioner is to commit
murder of his wife due to non-fulfillment of dowry demand
alongwith his family members.

Learned counsel appearing on behalf of the petitioner



submitted that name of the petitioner surfaced in this case merely on suspicion and he has been falsely implicated in this case. It has also been submitted that the informant himself alleges that some miscreants entered into the house of the petitioner and shot fire on the wife of the petitioner due to which she died during the course of treatment. While concluding the argument, it has further been submitted that chargesheet has already been submitted in this case, as such there is no chance of tampering with the evidence.

Learned APP appearing on behalf of the State while opposing the prayer of bail submitted that from perusal of the case diary, it appears that the petitioner was present in the house at the time of the occurrence. Learned APP further submitted that prayer of bail of petitioner was rejected by this Court through Cr. Misc. No. 25862 of 2020 dated 25.11.2020.

As per Report no. 171 of 2022 dated 27.04.2022 of Special Court, (MP/MLA), Aurangabad, trial of this case is about to conclude, where three doctors are left to examine only.

Considering the facts and circumstances as mentioned above, as trial of the case is likely to complete very soon, this Court is not inclined to grant bail to the petitioner, above named, at this stage.



Accordingly, the prayer for bail of the petitioner is rejected herewith, with a direction to the Trial Court to conclude the trial at the earliest, by taking the matter on board, on day to day basis and conclude the same at the earliest.

(Chandra Shekhar Jha, J)

Ankit/-

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

