

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64129 of 2021**

Arising Out of PS. Case No.-127 Year-2021 Thana- KALYANPUR District- Samastipur

JITU RANA @ GOVIND KUMAR Son of Satrudhana Mahto Resident of
Village- Barheta, P.S.- Kalyanpur, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Thakur, Adv. Mr. Anshu Dhar Sharma, Adv
For the Opposite Party/s	:	Mr. Nirmal Kumar Sinha

**CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER**

5 27-09-2022 Let the defect(s), as pointed out by the office, be
removed within a period of four weeks from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in connection with
Kalyanpur P.S. Case No. 127 of 2021 registered for the offences
punishable under Sections 302, 120(b)/34 of the Indian Penal
Code and Section 27 of the Arms Act.

As per prosecution case, on 02.06.2021 at 9:30
PM, petitioner alongwith others came at the door of informant
and called the informant's son and took away him. It is further
alleged that dead body of informant's son was found at Bakmara
Pul near gas godown.



Learned counsel for the petitioner submits that petitioner is in custody since 27.08.2021 and bears criminal antecedent of five cases. He further submits that petitioner has falsely been implicated in this case on mere suspicion. He further submits that FIR has been lodged after lapse of 48 hours of the occurrence without giving any cogent reason by the informant. There is no circumstantial, legal or substantive evidence against the petitioner.

The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner submitting that there is motive behind the alleged occurrence and petitioner is last seen with the deceased. He further submits that petitioner has admitted his guilt regarding commission of murder through firearm and the same is corroborated by the postmortem report.

The learned trial court vide its letter no. 67 dated 08.09.2022 reported that case is likely to be concluded within six months.

Considering the facts and circumstances of the case, nature of allegation levelled against the petitioner coupled with postmortem report as well as material available on record, I am not inclined to grant bail to the petitioner. Accordingly, the prayer for bail of the petitioner is hereby rejected.



However, the learned trial court is directed to conclude the trial within six months. If the trial is not concluded within six months, the petitioner may renew prayer of bail.

(Alok Kumar Pandey, J)

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