

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70909 of 2021

Arising Out of PS. Case No.-160 Year-2021 Thana- CHAKAI District- Jamui

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Jitendra Thakur, S/o Naresh Thakur, R/o Village- Baratar, P.S.- Chakai,
District- Jamui.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Jitendra Kumar Giri, Advocate

For the Opposite Party/s : Mr.Kumar Veerendra Naryan,A.G

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 11-10-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Let the defect (s), as pointed out by the office, be removed within a period of four weeks from the date of resumption of physical filing and physical removal of defect.

In the present case, the petitioner seeks bail in connection with Chakai P.S. Case No. 160 of 2021 registered for the alleged offences under Sections 302 and 120B of the Indian Penal Code and Section 27 of the Arms Act.

As per prosecution case, the son of the informant was accosted by two unknown persons on his motorcycle and they shot him dead.

Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this



case. The name of the petitioner surfaced during investigation in the statement of two witnesses who stated that they saw the petitioner and co-accused with the deceased. Thereafter, the petitioner was apprehended and his confession was extracted. There is no eye witness to the alleged occurrence and as the mobile location of the petitioner was detected at the place of occurrence he has been roped in this case on the basis of suspicion. Otherwise, there is no material against the petitioner to connect him with the alleged offence. Charge sheet has been submitted in this case and the petitioner is in custody since 17.08.2021. The petitioner has got no criminal history.

Learned APP for the State opposes the prayer for bail of the petitioner submitting that the petitioner and co-accused were last seen with the deceased and during investigation, the name of the petitioner came up as an accused. On the date of occurrence, the mobile location of the accused was detected at the place of occurrence.

Having regard to the facts and circumstances and submission made on behalf of the parties and considering the fact that the petitioner was named by the witness to be present at the place of occurrence and his mobile location was also showed at the place of occurrence during relevant time and considering



the seriousness of allegation, I am not inclined to enlarge the petitioner on bail at this stage and hence, his prayer for grant of bail is rejected.

The learned trial court is directed to expedite the trial and conclude the same at the earliest and preferably within six months.

(Arun Kumar Jha, J)

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