

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.444 of 2022

Arising Out of PS. Case No.-205 Year-2020 Thana- SULTANGANJ District- Bhagalpur

KARU SAH @ KARU KUMAR SAH S/o Umesh Sah R/o Abjuganj, P.S.-
Sultanganj, Distt.- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Syed Ehteshamuddin, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 29-08-2022 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
Sultanganj P.S. Case No. 205 of 2020 registered for the offence
under Sections 302/34 of the I.P.C. and under Sections 25(1-b)a,
26, 27 of Arms Act.

The accused/petitioner is named in the F.I.R. and is in
custody since 26.09.2020.

The allegation against the petitioner is to commit
murder of the husband of informant by fire arms along with
other co-accused persons.

Learned counsel appearing on behalf of the petitioner



submitted that petitioner was apprehended by private persons. It is submitted that admittedly, informant is not the eye witness of the occurrence. It is also submitted that one of the co-accused, namely, Aman Kumar, has already been granted bail by one of the learned co-ordinate Bench by this Court through Cr. Misc No. 17284 of 2021 vide order dated 08.07.2021. While concluding the argument, it has been submitted that petitioner is a man of clean antecedent and moreover, investigation has been completed, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP, while opposing the prayer of bail, submitted that petitioner apprehended on spot immediately after committing murder of the husband of the informant by private persons along with country made pistols, and three live cartridges, which were later on handed over to the police. It is further submitted that post-mortem report of the deceased is in full collaboration with the allegations as regard to manner of assault caused by fire arm.

Considering the facts and circumstances as mentioned above, as petitioner immediately apprehended on spot, after committing murder of the husband of the informant by private persons, along with country made pistols alleged to be used for



murder, this Court is not inclined to grant bail to the petitioner.

Accordingly, prayer of bail of the petitioner is rejected herewith.

Trial Court is directed to conclude the trial within nine months by taking the matter on board on day to day basis.

S.S.P. Bhagalpur is directed to produce the charge-sheeted witnesses as and when directed by the Trial Court for expeditious disposal of trial, so as to conclude the trial within the aforesaid period, as directed above.

(Chandra Shekhar Jha, J)

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