

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10908 of 2023

Arising Out of PS. Case No.-254 Year-2020 Thana- KOTWA District- East Champaran

Ram Parvesh Rai Son of Sita Rai @ Sita Ram Rai @ Sita Ram yadav R/V-
Jagirkarariya, PS- Kotwa, Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Kundan Rathore@ Kundan Kumar, Advocate
For the Informant	:	Mr. Abhishek Kumar, Advocate
For the State	:	Mr. Madhura Nand Jha, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 13-07-2023 Heard learned counsel for the petitioner, learned counsel appearing on behalf of the Informant and learned APP for the State.

Petitioner seeks bail, who is in custody since 25.04.2022 in connection with Sessions Trial No. 827 of 2022 arising out of Kotwa P.S. Case No. 254 of 2020, F.I.R. dated 25.07.2020 registered for the offences punishable under Sections 302, 34 of the Indian Penal Code.

Allegation against the petitioner is that he along with two accused persons were involved in the murder of the informant's mother Dahaur Devi.

Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in the present case and due to admitted land dispute the present



occurrence had been taken place. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offence as alleged in the F.I.R and the informant is not an eye witness of the alleged occurrence.

Vide order dated 04.05.2023, a report was called for with regard to the stage of the trial. Report dated 16.05.2023 of the learned Trial court reveals that out of eleven chargsheeted witnesses, ten witnesses have already been examined and the only one witness i.e. Investigating Officer is yet to be examined in the present case.

Considering the aforesaid facts and in view of the report of the learned Trial court, I am not inclined to enlarge the petitioner on bail in connection with Sessions Trial No. 827 of 2022 arising out of Kotwa P.S. Case No. 254 of 2020 pending in the Court of learned Chief Judicial Magistrate, Motihari, East Champaran.

Prayer is refused.

However, the learned Trial court is directed to expedite the trial and conclude the same at the earliest.

(Rajesh Kumar Verma, J)

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