

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15606 of 2023

Arising Out of PS. Case No.-12 Year-2020 Thana- GAMAHARIYA District- Madhepura

RABAN KUMAR @ RAWAN KUMAR S/O RAUDI RISHIDEO Resident
of Village- Shihpur, P.S.- Gamhariya and District- Madhepura.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dinesh Prasad Verma, Advocate

For the Opposite Party/s : Mr.Umeshanand Pandit, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

5 16-08-2023 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

2. The petitioner seeks bail, who is in custody since 16.01.2020 in connection with S.Tr.No.174 of 2021 arising out of Gamhariya P.S. Case No. 12 of 2020, F.I.R. dated 15.01.2020 registered for the offence punishable under Sections 341,323,307,504,506,302 of IPC.

3. Allegation against the petitioner is that he assaulted to the uncle of the informant. Uncle of the informant died after 22 days of the date the occurrence.

4. Learned counsel appearing for the petitioner submits that the petitioner has clean antecedent and he has falsely been implicated in the present case. Further submits



that the allegation as alleged in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR and from bare perusal of the FIR it appears that the uncle of the informant died after 22 days of the date of occurrence and Section 302 of IPC was added on 20.04.2020 and the police, after investigation, submitted chargesheet on 13.04.2022 under Sections 341,323,504,506 and 302 of IPC.

5. Vide order dated 04.07.2023, a report was called for with regard to the present status of the trial. Report dated 11.07.2023 of the learned Trial Court reveals that only the Doctor is yet to be examined.

6. Learned APP for the State, on other other hand, has opposed the prayer for bail of the petitioner and submits that there is direct and specific allegation against the petitioner which is supported by the postmortem report.

7. In view of the report of the learned Trial Court, I am not inclined to enlarge the petitioner on bail in connection with S.Tr.No.174 of 2021 arising out of Gamhariya P.S. Case No. 12 of 2020 pending in the court of learned Additional Sessions Judge-V, Madhepura.



8. Prayer is refused.

9. 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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