

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13448 of 2023

Arising Out of PS. Case No.-51 Year-2022 Thana- BABUBARHI District- Madhubani

Subodh Kumar Patwa S/O Narayan Patwa R/v- Khutauna Bazar Paharitol,
P.S.- Laukaha, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Gagan Deo Yadav Mr. Ravi Prakash, Advocate
For the Informant	:	Mr. Jitendra Kumar Bharti, Advocate
For the State	:	Mr. Rana Randhir Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 07-08-2023 Heard learned counsel for the petitioner, learned counsel appearing on behalf of the Informant and learned APP for the State.

2. Petitioner seeks bail, who is in custody since 13.03.2022 in connection with Sessions Trial No. 345 of 2022 arising out of Babubarhi P.S. Case No. 51 of 2022, F.I.R. dated 13.03.2022 registered for the offences punishable under Sections 302, 120(B), 34 of the Indian Penal Code.

3. Allegation against the petitioner is that he along with other co-accused person have committed the murder of the son of the informant.

4. Learned counsel for the petitioner submits that the petitioner has clean antecedent and he has been falsely



implicated in the present case. 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 from a bare perusal of the F.I.R. it appears that there is allegation against the petitioner and co-accused person have committed the murder of the son of the informant.

5. Learned counsel appearing on behalf of the Informant as well as learned APP for the State, on the other hand, vehemently opposed the prayer for bail of the petitioner and submits that the *Gamcha* which was used in the crime in question has been recovered from the possession of the petitioner and the petitioner has also confessed his guilt in the confessional statement.

6. Vide order dated 19.06.2023, a report was called for with regard to the stage of the trial. Report dated 26.06.2023 of the learned Trial court reveals that out of nine chargesheeted witnesses, seven witnesses have already been examined and now only two witnesses are yet to be examined in the present case.

7. 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. 345



of 2022 arising out of Babubarhi P.S. Case No. 51 of 2022 pending in the Court of learned Additional Sessions Judge-III, Madhubani.

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)

Ibrar//-

U			
---	--	--	--

