

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23606 of 2022

Arising Out of PS. Case No.-4 Year-2021 Thana- UPHARA District- Aurangabad

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SANKAR KUMAR S/o Rajdeo Mistri @ Rajdeo Vishwakarma Resident of
Village- Uphara, P.S.- Uphara, District- Aurangabad.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjay Kumar Singh, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 12-01-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has preferred this application for grant of regular bail in a case registered under section 307 and other sections of the Indian Penal Code to which sections 302 and 34 of the Indian Penal Code were added subsequently.

As per the prosecution case, the informant states that on waking up in the morning, he found his mother in an unconscious and injured state and his sister's son (bhagina) was missing.

It is submitted by learned counsel for the petitioner that the FIR was registered against unknown. The petitioner has been falsely implicated in the case in course of investigation. No incriminating article has been recovered from the possession



of the petitioner. As per instructions received the trial has commenced. The petitioner is in custody since 13.11.2021, he has no criminal antecedent and undertakes to cooperate in the trial.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the nature of material that has transpired in course of investigation including the contents of the order of the learned trial Court wherein referring to the case diary it has been observed that incriminating articles were recovered on the confessional statement given by the petitioner together with the trial having commenced in the learned trial Court, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

Learned trial Court is directed to expedite the trial and to conclude the same at the earliest preferably within a period of six months from the date of communication of this order.

(Partha Sarthy, J)

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