

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25540 of 2023

Arising Out of PS. Case No.-5 Year-2022 Thana- NARPATGANJ District- Araria

SANTOSH BAHARDAR Son of Late Biswanath Bahardar Resident of
Village - Sanapur, Ward No.- 10, P.S.- Narpatganj (Bathnaha), District -
Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gopal Kumar Jha, Adv.

For the Opposite Party/s : Mr. Shailendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 22-08-2023 1. Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State.

2. Petitioner, who is in custody since 27.01.2022 seeks
bail, in connection with Narpatganj (Bathnaha) P.S. Case No.5/2022,
corresponding to S.T. No.203/2022, for the offences punishable
under Sections 363/34 of the IPC and later on Sections 302/34 and
201/34 of the IPC were added.

3. According to prosecution case, the minor son of the
informant was missing from his house since 02.01.2022. Even after a
lot of search there was no trace of the missing boy.

4. Learned counsel for the petitioner submits that the
petitioner has clean antecedent and he has falsely been implicated in
the present case. He further submits that the petitioner is not named
in the F.I.R. The name of the petitioner has been transpired during



investigation and no cogent material has come during investigation to suggest the involvement of the petitioner in the present occurrence.

5. Vide order dated 18.07.2023 a report was called for from the learned trial court regarding the present stage of the trial. Report dated 01.08.2023 of the learned trial court reveals that charge has been framed against the petitioner on 03.08.2022 and out of 9 charge sheeted witnesses, 6 witnesses have already been examined in the present case including the informant and I.O. and the case is pending for examination of the rest of the witnesses.

6. Learned Additional Public Prosecutor for the State on the other hand has vehemently opposed the prayer for bail of the petitioner.

7. Considering the aforesaid facts and report of the learned trial court, I am not inclined to enlarge the petitioner on bail in connection with Narpatganj (Bathnaha) P.S. Case No.5/2022, corresponding to S.T. No.203/2022, pending in the Court of learned District and Sessions Judge, Araria.

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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