

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27920 of 2022

Arising Out of PS. Case No.-24 Year-2020 Thana- DUMARIYA District- Gaya

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SUDHIR BHUIYAN S/o Badri Bhuiyan Resident of Village- Chatakpur, P.S.-
Maigra, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Arvind Kumar Singh

For the Opposite Party/s : Mr.Anita Kumari Singh

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

4 23-01-2023 Let the defect(s), as pointed out by the office, be
removed within a period of four weeks from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in connection with Dumariya
P.S. Case No. 24 of 2020 registered for the offences punishable under
Section 302 of the IPC.

As per prosecution case, petitioner is alleged to have
stabbed his mother-in-law and the sole reason behind the said
occurrence is that the informant brought her sister without permission
of the petitioner as a result of which petitioner has abused and
threatened to take the life of informant's sister on mobile and
disconnected the call.

Learned counsel for the petitioner submits that
petitioner is in custody since 12.05.2020 and bears no criminal



antecedent. He further submits that petitioner is quite innocent and committed no offence as alleged in the FIR. He further submits that no one has seen that the petitioner has stabbed the deceased. No incriminating article has been recovered from the possession of the petitioner.

The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner and submits that there is direct allegation of stabbing the informant's mother as a result of which she died and the same is supported by postmortem report. He further submits that petitioner is alleged to have been seen by informant in running condition after the alleged occurrence.

Considering the facts and circumstances of the case, nature of allegation levelled against the petitioner coupled with postmortem report as well as material available on record, I am not inclined to grant bail to the petitioner. Accordingly, the prayer for bail of the petitioner is hereby rejected.

However, the learned trial court is directed to conclude the trial within nine months from the date of receipt/production of copy of this order. If trial is not concluded within the stipulated period of time, petitioner may renew his prayer for bail.

(Alok Kumar Pandey, J)

vashudha/-

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