

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30744 of 2023

Arising Out of PS. Case No.-64 Year-2020 Thana- CHUTIA SAHAYAK District- Rohtas

Phitun Singh @ Raju Singh, Son of Bachru Singh @ Bachcha Singh, R/o
Village - Matiyaw, P.S.- Chutiya (Yadunathpur), District - Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Priyajeet Pandey, Advocate

For the Opposite Party/s : Mr. Ram Sevak Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 10-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. This is the second attempt of the petitioner to seek bail from this Court. Earlier the prayer for bail of the petitioner was rejected by this Court vide order dated 21.09.2022 passed in Cr. Misc. No. 68387 of 2021.

3. In the present case, the petitioner seeks bail in connection with Chutia (Yadunathpur O.P) P.S. Case No. 64 of 2020 registered for the alleged offences under Section 302 of the Indian Penal Code.

4. As per prosecution case, the petitioner stabbed his wife to death in her parental home.

5. Learned counsel for the petitioner submits that the FIR has been logged after much delay for which there is no reasonable explanation. Learned counsel further submits that post-



mortem report shows death has been caused 6 to 12 hours prior to conduct of the post-mortem but from the prosecution case it is apprent it is almost 17-18 hours from the time when post-mortem was conducted. Learned counsel further submits that the time of death given by the doctor does not corroborate the time of death given by the informant. Learned counsel further submits that weapon has not been recovered till date and apart from this fact other circumstances related to the crime has not been explained by the prosecution. Petitioner is in custody since 07.08.2020.

6. Learned APP opposes the prayer for bail submitting that no fresh ground has been brought on record.

7. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that post-mortem report was available even on the last occasion when the prayer for bail of the petitioner was rejected and no fresh ground has been brought on record for consideration of the bail of the petitioner, I am not inclined to grant bail to the petitioner.

8. Hence, his prayer for bail is rejected.

9. Learned trial court is directed to expedite the trial and conclude the same at the earliest.

(Arun Kumar Jha, J)

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