

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29177 of 2023

Arising Out of PS. Case No.-26 Year-2020 Thana- SHRI NAGAR District- Madhepura

1. Naresh Das
 2. Rahul Das
- Both are Sons Of Baiju Das @ Bajju Tatma R/O Mangar Wara Ward No.- 01,
P.S.- Sri Nagar, District- Madhepura

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bam Bahadur Jha,Advocate

For the Opposite Party/s : Mrs.Rina Sinha, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 24-07-2023 Heard learned counsel for the petitioners and the
learned A.P.P. for the State.

2. The petitioners seek bail, who are in custody since
11.06.2020 in connection with Sri Nagar P.S. Case No. 26 of
2020, F.I.R. dated 10.06.2020 registered for the offence
punishable under Sections 302/34 of the Indian Penal Code.

3. The informant suspects that his son Naresh Das and
Rahul Das killed his third son Pradeep Kumar because Naresh
Das was entangled to the wife of Pradeep Das (deceased).

4. Learned counsel appearing for the petitioners
submits that the petitioners have falsely been implicated in the
present case. The allegation as alleged in the FIR is false and
fabricated and it appears from the FIR that the informant is not
the eye witness of the alleged occurrence.



5. Learned APP for the State, on the other hand, on the basis of the material available on the record and the case diary, has opposed the prayer for bail of the petitioners and submits that it has come during investigation that the petitioners have killed the deceased. Further submits that the petitioners carry one more case other than the present one but fairly submits that the petitioners on bail in the said case.

6. Vide order dated 07.06.2023 a report was called for with regard to the present stage of the trial. Report of the learned Trial Court dated 14.06.2023 reveals that out of five chargesheet witnesses four witnesses have already been examined and only one witness is yet to be examined.

7. Considering the report of the learned Trial Court, I am not inclined to enlarge the petitioners on bail in connection with Sri Nagar P.S. Case No. 26 of 2020 pending in the court of learned Additional Sessions Judge-III, Madhepura.

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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