

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30403 of 2022

Arising Out of PS. Case No.-79 Year-2020 Thana- ISHAKCHAK District- Bhagalpur

SHANKAR SINGH SON OF NAND KISHORE SINGH @ GHOGHAN
SINGH R/O- VILLAGE- ISHAKCHAK SHYAM DAS LANE P.S.-
ISHAKCHAK, DISTRICT- BHAGALPUR Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

5 18-03-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioner is permitted to remove the defect(s), as pointed out by the office, if any, within a period of four weeks from today.

Petitioner seeks bail in a case registered for the offences punishable under Sections 302, 201, 120 (B) and 34 of the Indian Penal Code.

According to prosecution case, the petitioner is said to have stabbed the younger son of the informant in his stomach who subsequently died in course of treatment.

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 it appears from the F.I.R. that the date of occurrence as alleged in the F.I.R. is 30.06.2020 but the present F.I.R. has been instituted on 03.07.2020, after delay of four days without giving any



explanation of delay. He further submits that there is no eyewitness of the alleged occurrence and the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 07.07.2020.

Vide order dated 15.02.2023, a report was called for with regard to the stage of the trial. Report dated 25.02.2023 reveals that out of seven charge sheeted witnesses, four witnesses have already been examined and only three witnesses have yet to be examined in the present case.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

Considering the report of the Trial court, I am not inclined to enlarge the petitioner on bail in connection with S.Tr. No.359/2020, arising out of Ishakchak P.S. Case No. 79/2020, pending in the court of learned Additional Sessions Judge-XII, Bhagalpur.

Prayer is refused.

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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