

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42003 of 2023

Arising Out of PS. Case No.-116 Year-2021 Thana- CHAKAND District- Gaya

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1. SUNIL KUMAR @ MADHUSUDAN YADAV @ MADHUSUDAN KUMAR SON OF SRI KARUN PASWAN VILLAGE RANAPUR, PS CHAKAN, DISTRICT GAYA
 2. KARUN PASWAN SON OF LATE RAMSAWRUP PASWAN VILLAGE RANAPUR P S CHAKAN DISTRICT GAYA

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhaskar Shankar
For the Opposite Party/s : Mr.Ram Anurag Singh

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

3 02-08-2023 Heard learned counsel for the petitioners and
learned A.P.P. for the State.

2. The petitioners seek bail in connection with S.Tr.
No.335/2022 arising out of Chakand P.S. Case 116/2021,
registered for the offence punishable under Sections 302, 328,
120(B) & 379 of the Indian Penal.

3. As per prosecution case, accusation against the
petitioners is that petitioners alongwith others have concertedly
poisoned informant's son namely Deepak Kumar as a result of
which he died.

4. Learned counsel for the petitioners submits that
petitioner no.1 namely Sunil Kumar @ Madhusudan Kumar is



languishing in custody since 05.07.2021 and petitioner no.2 namely Karun Paswan @ Kairum Paswan is languishing in custody since 02.09.2021. Petitioners bear no criminal antecedent. The allegation against the petitioners is false and fabricated.

5. The learned A.P.P. for the State vehemently opposed the prayer for bail of the petitioners by submitting that the allegation of poisoning is supported and corroborated with the FSL report. He further submits that the prayer of bail of the present petitioners have already been rejected on merit vide order dated 13.10.2022 passed in Cr. Misc. No.70603/2021 and Cr. Misc. No.10392/2022.

6. A report regarding stage of trial has been called for, from the trial court vide order dated 05.07.2023. The trial court vide letter no.463/2023 dated 11.07.2023 has sent its report which reveals that the trial of the case will be concluded within one year if prosecution co-operates in the trial and produces witnesses within time.

7. Considering the facts and circumstances of the case, particularly keeping in view that earlier bail prayer of the petitioners has been rejected on merit, I am not inclined to grant bail to the petitioners. Hence, prayer for bail of the petitioners stands rejected.



8. The trial court is directed to conclude the trial on day to day basis.

9. However, if trial is not concluded within six months from the date of receipt / production of copy of this order, the petitioners may renew his prayer for bail.

(Alok Kumar Pandey, J)

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