

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.39157 of 2023**

Arising Out of PS. Case No.-389 Year-2021 Thana- KHAIRA District- Saran

JITENDRA SINGH Son of Sadanand Singh Resident of village-Phirajpur,  
P.S.-Khaira, District-Saran

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Manoj Kumar Madhukar

For the Opposite Party/s : Mr.Umesh Lal Verma

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH  
SINGH**

ORAL ORDER

- 4      16-08-2023                      1. Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.
2. Heard learned counsel for the petitioner and learned APP for the State.
3. The petitioner has preferred this application for grant of regular bail in connection with Session Trial No. 60 of 2022 arising out of Khaira P.S. Case No. 389 of 2021 registered u/s 302 read with 34 of the Indian Penal Code.
4. As per the prosecution case, the petitioner along with his wife is alleged to have assaulted the father of the informant and due to which he died on the next day.
5. Learned counsel for the petitioner has submitted



that the petitioner is innocent and he has falsely been implicated in this case due to local politics. There is no eye-witness in this case. The petitioner has clean antecedent as stated at para 3 of the bail petition. Learned counsel for the petitioner has further submitted that Prabhu Singh has falsely been implicated in this case as he is gotiya of the deceased and there is a land dispute between Prabhu Singh and the petitioner. Learned counsel further submitted that there are six witnesses out of whom only four witnesses have been examined while two witnesses, I.O. of the case and Doctor have not been examined. Earlier, vide order dated 03.08.2022, learned trial Court was directed to expedite the trial and conclude the same preferably within nine months, but the trial was not concluded within the aforesaid nine months. The petitioner is in custody since 01.11.2021.

6. Learned A.P.P. for the State has opposed the bail petition of the petitioner by submitting that there is specific allegation against the petitioner and there is sufficient material against the petitioner to commit murder of the informant's father. The post-mortem report shows that fracture of occipital bone was found and the cause of death is due to the said injury caused by hard and blunt substance. Earlier, vide order dated 03.08.2022, the prayer for bail of this petitioner was rejected by



this Court passed in Cr. Misc. No. 8404 of 2022.

7. Considering the aforesaid facts and circumstances as well as the specific allegation against the petitioner, I am not inclined to enlarge the petitioner, above-named on bail.

8. The trial Court is further directed to expedite the trial and conclude the same preferably within a period of six months from the date of receipt of this order.

9. Further, the petitioner will be at liberty to renew his prayer for bail if the trial is not concluded within a period of six months.

10. The bail application is rejected

**(Chandra Prakash Singh, J)**

Alok Verma/-

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