

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40905 of 2022

Arising Out of PS. Case No.-4 Year-2022 Thana- AKBARNAGAR District- Bhagalpur

GOURAV ROY S/o Sri Bhola Roy R/o village- Gouripur, P.S.- Akbarnagar,
Distt.- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijendra Kumar, Adv.

For the Opposite Party/s : Ms. Anita Kumari Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 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 offence punishable under Sections 302 of the Indian Penal Code.

According to prosecution case, someone has assaulted the deceased with heavy object while he was sleeping at Basa.

Learned counsel for the petitioner submits that the petitioner is innocent and he has falsely been implicated in the present case. He further submits that the petitioner was not named in the F.I.R. The name of the petitioner has been transpired during investigation and there is no eyewitness of the alleged occurrence.



Vide order dated 13.02.2023, a report was called for with regard to the stage of the trial. Report dated 23.02.2023 reveals that out of eight charge sheeted witnesses, five 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 on the ground that he carries three criminal antecedents other than the present one.

Considering the report of the Trial court, I am not inclined to enlarge the petitioner on bail in connection with S.Tr. No.212/2022, arising out of Akbarnagar P.S. Case No. 4/2022, pending in the court of learned Additional District and Sessions Judge-XVI, 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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