

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.40665 of 2022**

Arising Out of PS. Case No.-236 Year-2021 Thana- TARIYANI CHOWK District- Sheohar

Bajrangi Prasad Kuwar S/O Bishwanath Prasad Kuwar Resident of village-  
Rajdih, Ward No.- 13, P.S.- Tariyani, District- Sheohar.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

**Appearance :**

|                            |                           |
|----------------------------|---------------------------|
| For the Petitioner/s :     | Mr. Arya Achint, Advocate |
| For the Opposite Party/s : | Mr. K. Kishore (APP 100)  |

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA  
ORAL ORDER**

5      21-03-2023                      Heard learned counsel for the petitioner and learned  
Additional Public Prosecutor for the State.

Let the defects, as pointed out by the office, be  
removed within a period of four weeks from today.

Petitioner seeks bail in a case registered for the  
offences punishable under Sections 302, 201 of the Indian Penal  
Code.

According to prosecution case, the informant  
Shatrudhan Paswan alleges that on 15.10.2021 at about 5:30 on  
the basis of hearsay information reached at place of occurrence  
and found the dead body of a women. It is further alleged that  
some unknown has killed the deceased.

Learned counsel for the petitioner submits that



petitioner is innocent and he has falsely been implicated in the present case. He further submits that petitioner is not named in the F.I.R. and the name of the petitioner has been transpired during investigation on the basis of disclosure made by the Spy. He further submits that there is no eye witness of the alleged occurrence and only on the basis of suspicion the name of the petitioner has falsely been implicated in the present case.

Vide order dated 23.02.2023 a report was called for with regard to the present stage of trial. Report dated 15.03.2023 reveals that out of six charge-sheeted witnesses (five non-official and one official) two charge-sheeted non-official witnesses have been examined, cross-examined and discharged till date and at present the case is pending for the rest prosecution evidence.

The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner on the ground that petitioner carries one criminal antecedent other than the present one.

Considering the aforesaid facts, I am not inclined to enlarge the petitioner on bail in connection with Tariyani P.S. Case No. 236 of 2021 pending in the court of learned Chief Judicial Magistrate, Sheohar.



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)**

mdrashid/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

