

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42747 of 2023

Arising Out of PS. Case No.-28 Year-2020 Thana- SAMASTIPUR District- Samastipur

AMAR KUMAR @ AMMA Son of Sito Paswan @ Sitaram Paswan Resident
of village - Pethia Gachhi, ward no. 23, P.s. - Samastipur (Town), Distt. -
Samastipur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar

For the Opposite Party/s : Mr.Amitesh Kumar

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

4 03-11-2023 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner seeks bail in connection with S.T.
No. 416 of 2022 (arising out of Samastipur (Town) P.S. Case
No. 28 of 2020) registered for the offences punishable under
Sections 302/34 of the Indian Penal Code.

3. As per prosecution case, there is accusation
against the petitioner to have stabbed the informant's son as a
result of which informant's son was badly injured.

4. Learned counsel for the petitioner submits that
the bail prayer of the present petitioner has already been rejected
on merit by this Court vide Cr. Misc No. 71233 of 2021 on
19.10.2022. He further submits that petitioner is in custody



since 24.07.2021 and bears no criminal antecedent. He further submits that petitioner is quite innocent and has falsely been implicated in this case.

5. The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner submitting that there is specific allegation of stabbing the informant's son against the petitioner and during treatment, informant's son died and the same is corroborated by the postmortem report. He further submits that the bail prayer of the present petitioner has already been rejected on merit by this Court vide Cr. Misc No. 71233 of 2021 on 19.10.2022.

6. A report regarding stage of trial has been sought by this Court and in pursuance of the said direction, the trial court vide letter no. 284 dated 05.08.2023 has sent its report which reveals that the trial court has sought six months time for concluding the trial.

7. Considering the facts and circumstances of the case, particularly keeping in view that earlier bail prayer of the petitioner has already been rejected on merit as well as report of the trial court, I am not inclined to grant bail to the petitioner. Accordingly, the prayer for bail of the petitioner is hereby rejected.



8. However, the learned trial court is directed to expedite the trial and conclude the same as early as possible.

(Alok Kumar Pandey, J)

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