

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44734 of 2022

Arising Out of PS. Case No.-38 Year-2020 Thana- ANTICHAK District- Bhagalpur

Sunil Pahariya Son Of Late Sundar Pahariya R/O Kutubpur, Kurwa Tola, P.S.-
Antichak, District- Bhagalpur

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Swapnil Kumar Singh

For the Opposite Party/s : Mr.A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

7 03-10-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in connection with Antichak P.S. Case No. 38 of 2020 instituted for the offence under Sections 448, 323, 324, 302, 307, 34 of the Indian Penal Code.

3. As per allegation in the FIR, the petitioner is alleged to have committed murder of the *Nani* (maternal grandmother) by assaulting her on the alleged date of occurrence. Thereafter, he came to the house of informant and also assaulted her by means of axe due to which she sustained injuries.

4. Learned counsel for the petitioner submits that the petitioner is innocent and committed no offence. The petitioner is husband of the informant and there was some dispute between



them due to this reason, the petitioner has falsely been implicated in this case. The petitioner has got no criminal antecedent as stated in para-3 of the bail petition and languishing in judicial custody since 13.12.2021.

5. Learned APP appearing for the state has opposed the prayer of regular bail and submitted that the petitioner is named in the FIR who has specifically been alleged to commit murder of the grandmother (Nani) of the informant. The informant is eye witness of the alleged occurrence who was also assaulted by the petitioner by means of axe and sustained injuries. The postmortem report of the deceased and injury report of the informant corroborate the prosecution case. It is further submitted that during investigation, witnesses of the case have also supported the prosecution.

6. In pursuance to the direction of the court, a report dt. 24.8.2023 regarding present stage of trial has been received by which it appears that the trial is likely to be concluded within a period of six months.

7. Having heard the learned counsel for the parties and considering the specific allegation against the petitioner, this court is not inclined to enlarge the petitioner on bail and, as such, his prayer for bail stands rejected.



7. The trial Court is directed to expedite the trial and conclude the same within stipulated period of time (i.e. six months) failing which, the petitioner may renew his prayer of bail.

(Sunil Kumar Panwar, J)

Amandeep/-

U		T	
---	--	---	--

