

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46376 of 2023

Arising Out of PS. Case No.-1026 Year-2018 Thana- MOTIPUR District- Muzaffarpur

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Anand Kumar @ Anand Kishore Kumar @ Ananad Kishore Kumar Son Of
Shankar Bhagat R/O Village- Mathiya Morsandi, P.S.- Motipur, District-
Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Purushottam Kumar

For the Opposite Party/s : Mr.Anil Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 14-09-2023 Heard learned counsel for the petitioner and

learned A.P.P appearing on behalf of the State.

The petitioner is languishing in custody in a

case registered for the offences punishable under

Sections 341, 323, 447, 307, 379, 504/34 of the Indian

Penal Code. Subsequently Section 302 I.P.C was also

added.

It is a case of commission of murder of the wife

of the informant. It is specifically alleged against the

petitioner that he repeatedly assaulted with Khanti to the

wife of the informant, as a result of which, she sustained



grievous injuries and succumbed to the injuries during treatment.

It is submitted by learned counsel for the petitioner that petitioner is innocent and he has falsely been implicated in this case. Both the parties are agnates and in the background of some land dispute, the present accusation has been levelled against the petitioner. The informant is not the eye witness to the occurrence. The petitioner is languishing in custody since 14.11.2022. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

In contra, learned A.P.P appearing on behalf of the State has vehemently opposed the prayer for bail of the petitioner and submitted that there is specific allegation against the petitioner that he assaulted with Khanti on the head of the deceased. The postmortem report also corroborates the case of the prosecution. The independent witnesses also supported the case of the prosecution.



Considering the fact that there is specific accusation against the petitioner to have assaulted with farsa on the head of the victim resulting into his death, this Court is not inclined to grant bail to the petitioner. The prayer for grant of bail to the petitioner stands rejected.

The Trial Court is directed to expedite the trial and conclude the same at the earliest.

(Sunil Kumar Panwar, J)

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