

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53137 of 2023

Arising Out of PS. Case No.-309 Year-2022 Thana- KALYANPUR District- Samastipur

Raj Kumar Sahni @ Raj Kumar Son Of Ram Lal Sahni Resident Of Village -
Gadha, Police Station - Kalyanpur, District - Samastipur

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar Singh

For the Opposite Party/s : Mr.Umanath Mishra

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 07-11-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in connection with
Kalyanpur P.S. Case No. 309 of 2022 instituted for the offence
under Sections 302, 379 and 34 of the Indian Penal Code.

3. It is a case of commission of murder of the
informant's wife by the petitioner.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and committed no offence. He has falsely
been implicated in this case. The petitioner is not named in the
F.I.R. No one is eye witness of the alleged occurrence. There is no
direct and consistent evidence against the petitioner. A statement
has been made in para 3 of the petition that petitioner has no
criminal antecedent. Petitioner is languishing in judicial custody



since 22.10.2022.

5. Learned APP appearing for the state has opposed the prayer of regular bail and submitted that there is a strong circumstantial evidence against the petitioner in para 43, 46 and 54 of the case diary. During course of investigation, several witnesses have supported the prosecution case. Petitioner confessed his guilt about his illicit relation and murder of the deceased in para 43 of the case diary and at his instance mobile of the deceased has been recovered. Later on, belongings of the deceased were also recovered from the motorcycle of the petitioner, which suggests his involvement in the murder of the deceased .

6. Having heard the learned counsel for the parties and considering the fact that there is direct allegation of killing the informant's wife 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 a period of six months, failing which, the petitioner may renew his prayer of bail.

(Sunil Kumar Panwar, J)

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