

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56763 of 2023

Arising Out of PS. Case No.-67 Year-2021 Thana- THARTHARI District- Nalanda

Mukesh Ram Son Of Uday Ram Resident Of Village- Amera, Police Station
-tharthari, District- Nalanda

... .. Petitioner/s

Versus

The State Of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Shanker Pankaj, Advocate

For the Opposite Party/s : Mr. Shailendra Kumar Singh, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 25-08-2023 Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

2. Heard learned counsel for the petitioner and learned A.P.P for the State.

3. The petitioner has preferred this application for grant of regular bail in connection with Tharthari P.S. Case No. 67 of 2021, corresponding to S. Tr. No. 728 of 2021 dated 26.06.2021 registered for the offences punishable u/s 302 and 201 of the Indian Penal Code.

4. As per the prosecution case, It is alleged that the petitioner committed murder of the informant's husband with iron rod and his dead body was thrown in the field.



5. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Learned counsel has further submitted that the petitioner is the cousin brother of the informant. There is no eye-witness to the alleged occurrence. Learned counsel has further submitted that earlier the bail petition of the petitioner was rejected by this court vide order dated 27.07.2022 passed in Cr. Misc. No. 10476 of 2022, with liberty to renew the prayer for bail if the trial is not concluded within nine months. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 26.06.2021.

6. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner and has submitted that earlier the bail petition of the petitioner was rejected on merit by this court vide order dated 27.07.2022 passed in Cr. Misc. No. 10476 of 2022. Learned APP has further submitted that there is specific allegation against the petitioner.

7. Considering the aforesaid facts and circumstances of the case as well as the specific and heinous nature of allegation against the petitioner, I am not inclined to enlarge the petitioner on bail. Accordingly, the prayer for bail petition of the petitioner stands rejected.



8. The trial court is further directed to expedite the trial and conclude the same preferably within a period of six months.

(Chandra Prakash Singh, J)

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