

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56926 of 2023

Arising Out of PS. Case No.-208 Year-2020 Thana- CHACKMEHSI District- Samastipur

SURESH RAY SON OF BINDESHWAR RAI @ VINDESHWAR RAY
RESIDENT OF VILLAGE- MALINAGAR, SIMRI, PS- CHAKMEHSI,
DISTRICT- SAMASTIPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amar Kumar Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 08-11-2023

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Chekmehsi P.S. Case no.208 of 2020 registered under sections 302, 120B and 34 of the Indian Penal Code and section 27 of the Arms Act.

3. As per the prosecution case, over a dispute in the family, the informant states that the petitioner shot her husband as a result of which he died.

4. Learned counsel for the petitioner submits that the petitioner and the husband of the informant were full brothers. The petitioner has been falsely implicated in the case because of land dispute. The manner of death of the informant's husband is other than what has been narrated in the F.I.R. In spite of charge



having been framed and two witnesses examined on behalf of the prosecution, the deposition of whom has been brought on record as annexures to the petition, they have not supported the prosecution case. The petitioner is in custody since 17.12.2022 and undertakes to cooperate in the trial.

5. Heard learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegation in the F.I.R. according to which the petitioner is the assailant of the husband of the informant ie the deceased, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

7. Learned trial Court is directed to expedite the trial.

8. It is made clear that none of the observations made in this order will be used by either of the parties in course of trial.

(Partha Sarthy, J)

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