

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57697 of 2023

Arising Out of PS. Case No.-175 Year-2022 Thana- ALOULI District- Khagaria

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Balmiki Sada S/O Suresh Sada Resident Of Village- Dahma, P.S.- Alauli,
District- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Santosh Kumar Singh

For the Opposite Party/s : Mr.Kanhaiya Kishore (App 100)

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 10-11-2023 The petitioner is languishing in custody in a

case registered for the offences punishable under

Sections 302/34 of the Indian Penal Code.

Earlier the prayer for bail of the petitioner was

rejected vide order dated 10.04.2023 passed in Cr.

Misc. No. 61074 of 2022.

The prosecution case as per F.I.R is that on

27.04.2022 at about 7:00 P.M, the petitioner along with

other accused persons with common intention arrived at

the house of the informant and threatened him to kill his

son namely Ranjeet Kumar. It is further alleged that on

28.04.2022 at about 12 O'clock at night, all the accused



persons including the petitioner murdered his son by hanging. On hearing the noise of the accused persons when the informant went to the room of her son, all the accused persons including the petitioner fled away. The reason behind the occurrence is love affairs between the deceased and daughter of co-accused Chhathu Sada.

It is submitted by learned counsel for the petitioner that petitioner is innocent and he has falsely been implicated in this case. There is no specific accusation against the petitioner and a general and omnibus allegation has been levelled against the petitioner. There is no eye witness to the occurrence. The informant only alleged that when she entered into the room of her son, she saw the petitioner and other fleeing away from the place of occurrence. The petitioner is languishing in custody since 29.04.2022. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

In pursuance to the direction of this Court, a



report with regard to the present stage of the trial has been received and it has been kept at Flag-A. The report of learned Additional Sessions Judge-VI, Khagaria dated 13.09.2023 suggests that trial will be concluded within a period of four months.

In that view of the matter, the petition is disposed off with a direction to the learned Court below to conclude the trial within a period of four months.

The petitioner will be at liberty to renew his prayer for bail, if the trial is not concluded within a period of four months.

(Sunil Kumar Panwar, J)

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