

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60679 of 2022

Arising Out of PS. Case No.-11 Year-2020 Thana- CHHABILAPUR District- Nalanda

Sajan Rajbanshi Son of Krishna Rajbanshi Resident of Village - Duhai
Shuhai, P.S.- Chhabilapur, District - Nalanda (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rabindra Prasad Singh, Advocate

For the Opposite Party/s : Mr. Bharat Bhushan, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 11-01-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioner is permitted to
remove the defect(s), as pointed out by the office, if any, within
a period of four weeks from today.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 302, 120(B) and 34 of the
Indian Penal Code.

Earlier the bail of the petitioner was rejected vide
order dated 18.02.2022 passed in Cr. Misc. No. 19707 of 2021.

According to prosecution case, the informant stated
that on 11.03.2020 at 4 AM, he was asked by his brother's wife
that his brother was called and taken away by the petitioner and
one Shrikant Rajbanshi but did not return. The informant started



searching out his brother and reached nearby the field of Arjun Chaurasiya and saw that all the accused persons had caught the hands and legs of his brother whereas petitioner was assaulting his brother at his chest by lathi. The co-accused persons are said to have surrounded the informant's brother. The informant further alleges that in a pre-planned manner all the accused persons killed his brother.

Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that similarly situated, co-accused, namely, Srikant Rajbanshi has been granted bail vide order dated 08.12.2021 passed in Cr. Misc. No. 30477 of 2021.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that there is direct allegation against the petitioner. He further submits that the report of the learned Trial Court reveals that the trial is going on and three witnesses were examined.

Considering the aforesaid facts, I am not inclined to enlarge the petitioner on bail in connection with S.T. No. 267 of 2020, Chhabilapur P.S. Case No. 11 of 2020 pending in the court of learned VIIIth Additional District & Sessions Judge,



Nalanda (Biharsharif).

Prayer is refused.

However, the learned Trial Court is directed to expedite the trial.

(Rajesh Kumar Verma, J)

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