

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65177 of 2023

Arising Out of PS. Case No.-71 Year-2023 Thana- KIUL RAIL P.S. District- Lakhisarai

Ganesh Kumar @ Ganesh Ram S/O Ramchandra Ram @ Bhakku Ram R/O
Brindavan, P.S- Kiul, Distt.- Lakhisarai.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Avinash Kumar @ Sunny S/O Kusho Yadav R/O Brindavan, P.S- Kiul,
Distt.- Lakhisarai.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeet Kumar Singh

For the Opposite Party/s : Mr.Abhay Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 18-12-2023 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the informant.

The petitioner has prayed for bail in connection with
Kiul Rail P.S. Case No. 71 of 2023 instituted for the offence
under Sections 302 and 34 of the Indian Penal Code.

Allegation against the petitioner is that he committed
murder of the informant's nephew by means of knife blow due
to which he sustained injury and in hospital doctor declared him
dead.

It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this present case. A
statement has been made in para-3 of this petition that the



petitioner has got no criminal antecedent. It is further submitted from para-10 of this petition that this petitioner was not present at the place of occurrence. Moreover, he is languishing in judicial custody since 02.05.2023.

Learned APP appearing for the state and learned counsel for the informant have opposed the prayer of regular bail and submitted that the petitioner is name in FIR and there is specific allegation of stabbing upon the informant's nephew due to which he succumbed to injury. During investigation, witnesses supported the prosecution case and postmortem report also corroborated with the prosecution version as the doctor opined that the cause of death of the deceased is cardiac arrest due to excessive blood loss.

Having heard the learned counsel for the parties and considering the nature of allegation, this court is not inclined to enlarge the petitioner on bail and, as such, his prayer for bail stands rejected.

The trial court is directed to expedite the trial and conclude the same as soon as possible.

(Sunil Kumar Panwar, J)

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