

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64473 of 2022

Arising Out of PS. Case No.-172 Year-2022 Thana- KATIHAR GRP CASE District- Katihar

Krishna Kumar Rai Son of Kailash Ray, R/V- Indira Nagar Laliyahi, Ward
No.-11, P.S.- Sahayak Katihar, District- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 67803 of 2022

Arising Out of PS. Case No.-172 Year-2022 Thana- KATIHAR GRP CASE District- Katihar

Naveen Kumar Ram @ Naveen Kumar Rai Son of Harendra Ram @
Harendra Rai, Resident of O.T. Para, Pal Market, P.S.- Sahayak, District -
Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 64473 of 2022)

For the Petitioner/s : Mr. Bhola Prasad, Advocate
Mr. Indrajeet Kumar, Advocate

For the Opposite Party/s : Mr. Ajay Kumar No.2, APP

(In CRIMINAL MISCELLANEOUS No. 67803 of 2022)

For the Petitioner/s : Mr. Bhola Prasad, Advocate

For the Opposite Party/s : Ms. Meena Singh, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

4 05-06-2023 Let the defect, if any, be removed within two weeks
from today.

Re. Cr. Misc. No. 64473 of 2022

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

The petitioner seeks regular bail in connection with Katihar Rail P.S. Case No. 172 of 2022 dated 10.05.2022 lodged under Sections 302, 392 and 201/34 of the I.P.C.

As per prosecution, F.I.R. has been lodged against unknown accused persons and in the F.I.R. the dead body of the nephew of the informant was recovered near railway line.

Learned counsel for the petitioner submits that petitioner is not named in the F.I.R. and case has been filed against unknown accused persons. He further submits that antecedent of the petitioner is clean and petitioner is in custody since 12.05.2022. Counsel further submits that name of the petitioner has figured in this case by virtue of confessional statement of the co-accused. Counsel further submits that petitioner is innocent and has committed no offence. He further submits that charge has already been framed in this case and petitioner is ready to fulfill all the conditions.

Learned counsel for the State opposes the prayer for bail and submits that the entire occurrence was unearthed only after recovery of *Sim* of the deceased from the possession of the petitioner and then the total matter relating to crime was unearthed and charge sheet has been filed in this case.

Upon going through the contents and in the facts and

circumstances, I am not inclined to grant bail to the petitioner, namely, Krishna Kumar Rai. Therefore, bail petition of the petitioner is hereby rejected.

Trial Court is directed to conclude the trial within 9 months.

Re. Cr. Misc. No. 67803 of 2022

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

From paragraph 142 of the case diary, it transpires that report has been demanded from the regional *Vidhi Vigyan Prayogsala*, Bihar, Patna in this matter.

Let the report be called for from the regional *Vidhi Vigyan Prayogsala*, Bihar, Patna in this matter in connection with Katihar Rail Police Station Case No. 172 of 2022.

Put up this case on 03.07.2023.

(Dr. Anshuman, J.)

ravishankar/-

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