

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63696 of 2022

Arising Out of PS. Case No.-562 Year-2021 Thana- MALSALAMI District- Patna

Sujal Kumar Patel @ Khatta Son of Late Naresh Prasad Singh R/o Village -
Bhathipar, Rashtravadi Chauraha, P.S.- Malsalami, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance:

For the Petitioner/s : Mr. Rajeev Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 24-02-2023 Heard learned counsel for the petitioner and the learned
APP for the State.

Petitioner seeks regular bail in connection with Sessions
Trial No. 311 of 2022 arising out of Malsalami P.S. Case No.
562 of 2021 registered for the offence punishable under Section
302/34 of the Indian Penal Code.

As per the prosecution, the informant's brother was
stabbed to death by this petitioner and co-accused over previous
enmity.

The main submissions advanced by learned counsel for
the petitioner are that there is no eyewitness of the alleged
murder and petitioner was made accused mainly on the basis of
suspicion and during the investigation all the witnesses
examined did not claim to have seen the alleged occurrence and
they are hearsay witnesses.

Learned APP for the State has opposed the bail prayer and submitted that from the possession of this petitioner *knife* and a *shirt* having blood stain were recovered and there is direct and serious allegation against the petitioner.

Having considered the seriousness of the allegation appearing against the petitioner from the FIR and allegedly this petitioner and co-accused inflicted *knife* blow to the informant's brother which resulted in death of the victim, in my view, it is not a fit case for bail to the petitioner. Accordingly, his bail prayer stands rejected.

(Shailendra Singh, J)

Shahnawaz/-

U		T	
---	--	---	--