

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67241 of 2022

Arising Out of PS. Case No.-37 Year-2021 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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Bambam Singh @ Bambam Kumar Singh, Son of Indradeo Singh, Resident
of village- Khamhar, Ward No- 02, P.S.- Muffasil, District- Begusarai.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Akshay Ashish, Advocate

For the Opposite Party : Mr. Zainul Abedin, APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 22-12-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. By filing this application, the petitioner has renewed his prayer for regular bail in connection with S.T. No. 365 of 2021 arising out of Muffasil P.S. Case No. 37 of 2021 registered for the offences punishable under Sections 302, 201, 120B and 34 of the Indian Penal Code. He has one criminal antecedent. He is in judicial custody since 29.01.2021.

3. As per the prosecution story, the father of the informant had gone to the house of this petitioner but when he did not return, the informant gave a mobile call to his father at about 6.30 P.M. and his father informed the informant that he was with this petitioner. It is alleged that after some time when he did not return then the informant tried to contact this petitioner. The informant along with his family members went



to the village of this petitioner in search of his father but neither his father nor this petitioner could be traced. On the subsequent day, the Chowkidar of Birpur Police Station came to the house of the informant and informed that the dead body of his father was lying on brick-soil road near Kund Dhala. The informant alleged that his father died due to smothering of his mouth and neck by muffler and thereafter the dead body was thrown away. His motorcycle was also lying there.

4. Earlier, his prayer for regular bail was rejected by this Court vide order dated 23.02.2022 in Cr. Misc. No. 40133 of 2021.

5. Learned counsel for the petitioner submits that the petitioner is in judicial custody in connection with this case since 29.01.2021.

6. From the report of the learned trial court, it appears that the trial is at the stage of statement under Section 313 Cr.P.C. The prosecution evidences have already been closed on 07.10.2023 and at this stage a petition under Section 311 Cr.P.C. has been filed on behalf of the present petitioner which was fixed for hearing on 03.11.2023. The learned trial court has informed that if the defence co-operates, the trial would be concluded within a period of six months.



7. This Court finds that two months have already gone from the date of the report, therefore, at this stage, this Court is not inclined to grant bail to the petitioner.

8. Let the learned trial court conclude the trial within remaining period of four months from the date of receipt/communication of a copy of this order. The petitioner must co-operate in conclusion of trial within the aforesaid period. If despite all co-operation from the petitioner, the trial cannot be concluded within the given period, he will be at liberty to apply for bail in the learned trial court itself which will be considered on its own merit.

9. This application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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