

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.75189 of 2023**

Arising Out of PS. Case No.-226 Year-2020 Thana- KADWA District- Katihar

RAJA KUMAR RAI @ CHIKUWA @ CHIKWA, SON OF MOTI RAI @  
GODA RAI, R/O VILLAGE - BADUA BADI, P.S.- KADWA, DISTRICT-  
KATIHAR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Bhola Prasad, Advocate  
Mr. Indrajeet Kumar, Advocate  
For the Opposite Party/s : Dr. Ajeet Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY  
ORAL ORDER**

3      15-12-2023

1. Heard learned counsel for the parties.

2. The petitioner has renewed his prayer for grant of regular bail in connection with Kadwa P.S. Case no. 226 of 2020, registered under sections 302, 341, 323, 504, 506 and 34 of the Indian Penal Code.

3. The earlier application for bail of the petitioner was rejected vide order dated 23.12.2022 (Annexure-1) passed in Cr. Misc. no. 18033 of 2022.

4. As per the prosecution case, the petitioner is said to have assaulted the informant's father with a *garhail* a number of times on his chest and stomach resulting in grievous injuries. On the injured being taken to the hospital, he was declared dead.

5. Learned Counsel appearing for the petitioner



submits that inspite of the petitioner being in custody since 14.10.2020 and having no criminal antecedent, there is no chance of the trial concluding in the near future. The cause of false implication of the petitioner is land dispute between the parties for which the parties have also contested in title suits. The petitioner undertakes to cooperate in the trial and to abide by the conditions which may be laid down by this Court for his release on bail.

6. The application for bail is opposed by learned APP for the State.

7. A report was called for from the learned trial Court. As per the report received contained in letter dated 25.11.2023, five out of nine charge-sheet witnesses have been examined on behalf of the prosecution.

8. Having heard learned counsel for the parties and taking into consideration the nature of allegations in the F.I.R. which are supported from the contents of the postmortem report, the petitioner being the assailant of the deceased and the progress in the trial in the learned trial Court, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

9. Learned trial court is directed to expedite the trial



and to conclude the same at the earliest preferably within a  
period of six months.

**(Partha Sarthy, J)**

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