

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12651 of 2024

Arising Out of PS. Case No.-760 Year-2022 Thana- BIHPUR District- Bhagalpur

Kanhaiya Choudhary Son of Manoj Choudhary Resident of Village-
Sonbarsha, P.S.- Bihpur, Dist.- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Amrendra Kumar
For the Opposite Party/s :	Mr. Rabindra Kumar
For the Informant :	Mr. Sadanand Prasad Deo

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 17-05-2024 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with S.T. No. 601/2023, arising out of Bihpur P.S. Case No. 760 of 2022, registered for the offences punishable u/ss 307, 302, 120B read with section 34 of the Indian Penal Code.

3. As per the prosecution case, the petitioner is alleged to have assaulted the informant's husband with the butt of the rifle after abusing him, the petitioner and the co-accused person took him to Sonbarsha Diayara through boat thereafter, the husband of the informant died during the course of the treatment.



4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner has 26 criminal antecedents of different nature of offences including murder as stated in para 3 of the bail petition. Similarly situated co-accused person has already been granted regular bail by this Court vide order dated 07.07.2023 passed in Cr. Misc. No. 36419 of 2023. The petitioner is in judicial custody since 23.05.2023.

5. Learned APP for the State as well as learned counsel for the informant have opposed the bail petition of the petitioner and submitted that there is specific allegation of assault against the petitioner on the informant's husband due to which he succumbed to the injuries. The co-accused who was granted bail is the father of the petitioner. As per postmortem report, the cause of death is hemorrhage and shock due to hard and blunt force impact.

6. Considering the aforesaid facts and circumstances of the case as well as the specific and heinous nature of offence against the petitioner, I am not inclined to enlarge the petitioner above-named on bail.

7. The learned trial court is directed to expedite the trial and conclude the same preferably within a period of nine



months.

8. The application stands rejected.

(Chandra Prakash Singh, J)

Ranjeet/-

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