

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17441 of 2023

Arising Out of PS. Case No.-9 Year-2021 Thana- NAYA RAM NAGAR District- Munger

Kishan Kumar @ Pallu @ Kishnadev Kumar S/o Lalchand Tanti @ Lalchan
Tanti R/o Village- Milkichak, No.2, P.S- Naya Ramnagar, Distt.- Munger.
... .. Petitioner

Versus

The State of Bihar Opposite Party

Appearance :

For the Petitioner/s : Mr. Md. Harun Quareshi, Advocate
For the Opposite Party/s : Mr. Narendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 26-07-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. By filing this application the petitioner has renewed his prayer for bail in connection with S.T. No. 98 of 2022 arising out of Naya Ramnagar P.S. Case No. 9 of 2021 registered for the offences punishable under Sections 447, 449, 326 and 302 He is in custody since 11.01.2021. The petitioner has got no criminal antecedent.

3. As per the prosecution story, on 10.01.2021, this petitioner had entered into the house of the victim lady and set her on fire. Thereafter the victim was taken to Sadar Hospital where she made her statement before the Executive Magistrate, Munger and the S.H.O. of the concerned police station. The victim died in course of her treatment.

4. While taking into consideration the merit of this case, this Court had rejected the prayer for bail. At this stage, the report

of the learned trial court would show that out of eight prosecution witnesses, six have already been examined and the case was pending for evidence of the Doctor and the I.O.

5. Learned counsel for the petitioner is not fully aware as to what has happened during this period of six months.

6. Learned APP for the State submits that since the trial itself is likely to be concluded very soon and the materials which have come in course of trial are not before this Court, therefore, the petitioner would not deserve bail.

7. Having regard to the submissions noted hereinabove and on finding that out of eight prosecution witnesses, six have already been examined and there is every likelihood of conclusion of trial within a reasonable period, this Court is not inclined to direct release of the petitioner on bail. Prayer is refused.

8. The learned trial court is expected to ensure presence of the Doctor and the I.O., if they have not appeared till date and for this purpose, if required, the trial court shall take coercive action but in terms of its own report, the trial be concluded as early as possible.

9. This application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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