

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37779 of 2024

Arising Out of PS. Case No.-103 Year-2022 Thana- KASHICHAK District- Nawada

Kundan Kumar Son Of Awadhesh Singh Village- Daulatchak, P.S.-
Kashichak, Dist- Nawadah

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Dinesh Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

5 20-09-2024 Heard Mr. Arun Kumar, learned counsel for the
petitioner and Mr. Dinesh Singh, learned A.P.P. for the State.

2. The petitioner seeks bail, who is in custody since
17.10.2022, in connection with Kashichak P.S. Case No. 103 of
2022 corresponding S. Tr. No. 318 of 2022, FIR dated
28.04.2022 for the offences punishable under Sections 302 and
34 of the Indian Penal Code and Section 27 of the Arms Act.

3. Earlier the prayer for bail of the petitioner was
rejected vide order dated 29.08.2023 passed in Cr. Misc. No.
11173 of 2023.

4. Learned counsel for the petitioner submits that
the petitioner is innocent and he has falsely been implicated in
the present case. He further submits that although there is
specific allegation against the petitioner in the FIR but due to



admitted land dispute the present occurrence has taken place.
The petitioner is rotting in judicial custody since 17.10.2022.

5. Learned APP for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner.

6. Vide order dated 21.06.2024, a report with regard to the present status of the trial was called for in Cr. Misc. No. 36746 of 2024. Report of the learned Trial Court dated 28.06.2024 reveals that out of ten charge-sheet witnesses, five witness have already been examined as yet.

7. Considering the facts and circumstances of the case as well as the report of the learned trial Court, I am not inclined to enlarge the petitioner on bail in connection with Kashichak P.S. Case No. 103 of 2022 corresponding S. Tr. No. 318 of 2022 pending in the Court of learned Additional District and Sessions Judge-II, Nawada.

8. Prayer is refused.

(Rajesh Kumar Verma, J)

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