

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36746 of 2024

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

Umesh Kumar @ Ghuran Singh @ Umesh Singh Son of late Bhagirath Singh
Resident of Village - Bhagamara , P.S. - Sono ,District - Jamui, Bihar

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Y.C. Verma, Sr. Advocate
	:	Mrs. Priyanka Singh, Advocate
For the Opposite Party/s	:	Mr. Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

5 20-09-2024 Heard Mr. Y. C. Verma, learned senior counsel for

the petitioner and Mr. Bhanu Pratap Singh, learned A.P.P. for the

State.

2. The petitioner seeks bail, who is in custody since
15.06.2022, in connection with Kashichak P.S. Case No. 103 of
2022, FIR dated 28.04.2022 for the offences punishable under
Sections 302 and 34 of the Indian Penal Code.

3. Earlier the prayer for bail of the petitioner was
rejected vide order dated 28.04.2023 passed in Cr. Misc. No.
63203 of 2022. Thereafter, the petitioner has again moved
before this Court in Cr. Misc. No. 11514 of 2024 which was
dismissed as withdrawn on 16.02.2024 with the liberty to move
before the learned Court below.



4. Learned senior counsel for the petitioner submits that the petitioner is innocent and he has falsely been implicated in the present case. He further submits that the allegation as alleged in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR. The petitioner is rotting in judicial custody since 15.06.2022.

5. Learned APP for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner and submits that from a bare perusal of the FIR it appears that there is direct and specific allegation against the petitioner that he has fired upon the brother of the informant and post-mortem report also supports the allegation as alleged in the FIR apart from that the petitioner carries five more cases other than present one.

6. Vide order dated 21.06.2024, a report with regard to the present status of the trial was called for. 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 nature of the allegation in the FIR as well as the report of the trial Court, I am not inclined to enlarge the petitioner on bail in connection with Kashichak P.S. Case No. 103 of 2022 pending in the Court of learned A.S.J. II,



Nawada.

8. Prayer is refused.

9. However the learned Trial Court is directed to expedite the trial and conclude the same at the earliest.

(Rajesh Kumar Verma, J)

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