

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36902 of 2024

Arising Out of PS. Case No.-183 Year-2021 Thana- PURNEA SADAR District- Purnia

Md Chand Son of Md. Taslim Resident of Village- Jamuniya, P.S- Parbatta,
Dist- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amit Kumar Anand
For the Opposite Party/s : Mr. Ashok Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

3 17-09-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Sessions Trial No. 267/2021/ CIS No 267/2021 arising out of Sadar (Muffasil) P.S. Case No. 183 of 2021 registered for the offences punishable under Sections 363, 364, 120B/34 of the I.P.C. and subsequently added Sections 302 and 201 of the Indian Penal Code on 22.04.2021.

3. As per prosecution case, son of the informant was kidnapped by present petitioner and others. It is stated that the daughter-in-law of informant was having illicit relation with the petitioner which was objected by the informant's son. It is further alleged that petitioner and others kidnapped the informant's son with an intention to kill him.



4. Learned counsel for the petitioner submits that earlier bail of the petitioner has already been rejected twice by this Court. He further submits that the trial Court report indicates that charge has been framed against the petitioner on 17.12.2021 and till date out of 08 witnesses, only one witness has been examined in this case. He further submits that the delay of trial is not attributable to the petitioner as he is in custody since 14.04.2021.

5. Learned APP for the State vehemently opposed the prayer for bail of the petitioner by submitting that earlier bail of the petitioner has already been rejected twice by this Court. He further submits that on the identification of the present petitioner dead body has been recovered.

6. A report regarding stage of trial has been sought by this Court and in pursuance of the said direction, the learned trial court vide letter no.572/2024 dated 20.07.2024 has sent its report which indicates that the trial is still running on prosecution evidence.

7. Considering the facts and circumstances of the case, particularly keeping in view that earlier bail prayer of the petitioner has been rejected on merit, nature of allegation levelled against the petitioner and also taking into consideration



the material available on record, I am not inclined to grant bail to the petitioner. Accordingly, the prayer for bail of the petitioner is, hereby, rejected.

7. The learned trial Court is directed to expedite the trial.

(Alok Kumar Pandey, J)

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