

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56656 of 2023

Arising Out of PS. Case No.-203 Year-2023 Thana- CHIRAIYA District- East Champaran

ABHISHEK KUMAR JHA son of Bindu Jha @ Birendra Jha Village-
Barharwa Ps- Dhaka Dist- East Champaran at Motihari

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Ashok Kumar Jha, adv.
For the Informant	:	Mr. Madhurendra Kumar, Adv.
For the Opposite Party/s	:	Mr.Upendra Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

6 24-06-2024 Heard learned counsel for the petitioner and learned
counsel for the informant as well as learned A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Chiraiya P.S. Case No. 203 of 2023 dated 30.04.2023 registered for the offence/s punishable u/ss 302, 201, 120B of the Indian Penal Code and section 27 of the Arms Act.

3. As per the prosecution case, it is alleged that on 29.04.2023, the informant's father went to Dhaka to take the dues money of Rs. 7,30,000/- from the shop of the petitioner who used to take goods from the shop of the informant but till night his father did not return and when the informant called from his mobile phone, he did not receive the call. On



30.04.2023, the informant came to know that his father has been killed and his dead body has been thrown near Bela Gaon. When the informant went to the shop of the petitioner, then he told the informant that he had returned the said amount to his father. It is further alleged that the petitioner killed his father in order to grab the money.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There is no eyewitness to the alleged occurrence. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 01.05.2023.

5. Learned counsel for the informant as well as learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner and stated that on 01.05.2023 CCTV footage near the shop of the petitioner was verified by the Chiraiya Police Station and on 29.04.2023 police found the informant's father (deceased) inside the Pickup van and the petitioner was the driver of the said van. As per para 49 of the case diary, police also found blood stain inside the said vehicle.

6. Considering the aforesaid facts and circumstances of the case as well as the specific and heinous nature of allegation against the petitioner, I am not inclined to enlarge the



petitioner on bail. Accordingly, the prayer for bail petition of the petitioner stands rejected.

7. The learned trial court is further directed to expedite the trial and conclude the same preferably at the earliest.

(Chandra Prakash Singh, J)

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