

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66966 of 2024

Arising Out of PS. Case No.-281 Year-2021 Thana- BIHIA District- Bhojpur

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Jitendra Chaudhary @ Sukhta @ Sukhari Son of Somaru Chaudhary R/o
Village- Gaura, P.S.- Bihiya (Boharanpur O.P.), District- Bhojpur

... .. Petitioner

Versus

The State of Bihar Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Kumari Chandna

For the Opposite Party/s : Mr.Amitesh Kumar

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CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 17-12-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Sessions Trial No. 213/2023 arising out of Bihiya P.S. Case No. 281/2021 dated 21.07.2021 registered for the offence punishable u/s 302 of the Indian Penal Code.

3. As per the prosecution case, when the informant's husband was sitting at his house, in the meantime, the petitioner came and started abusing and penetrated sharp iron rod on his chest due to which he died on the spot.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Learned counsel has submitted that the petitioner assaulted the informant with pointed iron rod on chest but the doctor has not found any penetrating wound on the chest of



deceased rather the doctor has found firearm injury. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 22.07.2021.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner. The specific allegation is against the petitioner. The petitioner and the deceased are full brothers. As per the post-mortem report, the cause of death is due to haemorrhage and shock caused by firearm.

6. Considering the aforesaid facts and circumstances of the case as well as the specific and heinous nature of offence against the petitioner, this Court is not inclined to grant bail to the petitioner and the same is rejected in connection with Sessions Trial No. 213/2023 arising out of Bihiya P.S. Case No. 281/2021 pending in the court of learned Addl. Sessions Judge-XIII, Bhojpur at Ara.

7. Learned court below is directed to expedite the trial and conclude the same within a period of six months.

(Chandra Prakash Singh, J)

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