

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 70422 of 2023

Arising Out of PS. Case No.-84 Year-2023 Thana- KAUWAKOL District- Nawada

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Sunand Kumar @ Chhotu Singh @ Chhotu, Son of Late Nagendra Vidyarthi
R/O Village- Charaul, P.S.- Kawakol (RAPAU O.P.), District- Nawada.
... .. Petitioner/S

Versus

The State of Bihar. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar, Advocate
For the Opposite Party/s : Mr. Navin Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

- 6 09-08-2024 1. Heard learned counsel appearing on behalf

of the petitioner and learned counsel appearing on behalf

of the State.
2. The petitioner seeks bail in connection with

Kawakol (Rupau O.P.) P.S. Case No. 84 of 2023

registered for the offence under Section 302/34 of the

Indian Penal Code and Section 27 of the Arms Act.
3. The accused/petitioner is named in the F.I.R.

and is in custody since 16.02.2023.
4. The allegation against the petitioner is to

commit murder of the son of informant alongwith other

co-accused persons, when demand of extortion money of

Rs. Five lacs was not paid by the informant to accused



persons including petitioner.

5. Learned Counsel appearing on behalf of the petitioner submitted that due to local caste rivalry, the petitioner was falsely implicated with present case. It is submitted that the informant is not the eye-witness of the actual occurrence rather he projected himself to be the eye-witness of the occurrence. While concluding the argument, it is submitted that petitioner found involved in one case as mentioned in para 3 of the bail petition, where after investigation, final form was submitted against him and was not sent up for facing trial by investigating agency, and as such, it can be said safely that he is a man of clean antecedent. It is further submitted that investigation of this case is completed, for which charge-sheet has already submitted, as such, there is no chance of tampering with the evidence.

6. Learned APP duly assisted by learned counsel appearing on behalf of the informant, while opposing the prayer of bail submitted that there is specific allegation



against this petitioner as to open fatal firearm, hitting the chest of the son of the informant, causing his death. It is also pointed out that on instance of petitioner, firearm was recovered from a field, which was kept hidden. It is further submitted that the trial of this case is at final stage.

7. Considering the facts and circumstances as mentioned above and by taking note of specific allegation as to cause fatal firing, causing death of son of the informant where upon instance of petitioner firearms used in occurrence was recovered, coupled with the fact that report of learned trial court suggests that trial is under progress, where out of seven prosecution witnesses, four witnesses have already been examined, accordingly, prayer of bail of petitioner is rejected herewith for the present.

8. However, learned trial court is directed to conclude the trial preferably within three months of this order, subject to cooperation of accused



persons/petitioner.

9. S.P., Nawada is directed to ensure the presence of concerned I.O. and doctor before the learned trial court, whenever directed preferably within aforesaid time period, as to conclude the trial.

(Chandra Shekhar Jha, J)

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