

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73053 of 2023

Arising Out of PS. Case No.-14 Year-2020 Thana- LUTUA District- Gaya

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RAMESH BHUIYAN @ GOLU @ RAMESH @ UMESH @ UMESH
BHUIYAN @ GOLU BHUIYAN @ RAMESH BHUIAN S/O LATE
BADHAN BHUIYAN @ LATE BADAN BHUIYAN R/O VILLAGE-
SHANKARPUR, P.S- LUTUA, DISTT.- GAYA.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arvind Kumar Singh, Advocate

For the Opposite Party/s : Mr. Tarun Prasad Mandal, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

- 5 02-02-2024 1. Heard learned counsel for the petitioner and learned
APP for the State.
2. The petitioner has renewed his prayer for grant of
regular bail in connection with Lutua P.S Case no.14 of 2020
registered under sections 302, 147, 148, 149, 341, 323, 448 and
427 of the Indian Penal Code and sections 3/4 of Prevention of
Witch (Dain) Practices Act.
3. As per the prosecution case, the petitioner is said to
have given a *khanti* blow on the husband of the informant
leading to his death on the spot.
4. The earlier application for bail of the petitioner was
rejected vide order dated 4.3.2022 (Annexure- P1) passed in Cr.
Misc. no.46768 of 2021.



5. Learned counsel for the petitioner submits that inspite of the petitioner being in custody since 19.10.2020, even charge has not been framed. There is no chance of the trial concluding in the near future. He undertakes to cooperate in the trial and as such he be enlarged on bail.

6. The prayer for bail is opposed by learned A.P.P for the State.

7. A report was called for from the learned trial Court. As per the report received contained in letter dated 2.12.2023, the case was fixed for framing of charge on 4.12.2023.

8. Having heard learned counsel for the parties and taking into consideration the allegation against the petitioner in the F.I.R as per which he is said to have given *khanti* blow on the husband of the informant leading to his death and the allegations having been substantiated from the contents of the postmortem report, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

(Partha Sarthy, J)

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