

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76900 of 2023

Arising Out of PS. Case No.-1054 Year-2022 Thana- KHAJANCHI HAT District- Purnia

THAKUR DINESH SINGH @ THAKUR DINESH KUMAR, SON OF
SURESH PRASAD SINGH, R/O KALI MANDIR (ANANDPURI), P.S.-
K.HAT (SAHAYAK), DISTRICT- PURNEA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Viveka Nandsingh, Advocate

For the Opposite Party/s : Mr. Lakshmi Kant Sharma, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 29-02-2024

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Sessions Trial no.248 of 2023, arising out of K.Hat (Sahayak) P.S. Case no. 1054 of 2022 registered under sections 363 and 365 of the Indian Penal Code to which sections 302 and 120B of the Indian Penal Code were added subsequently.

3. As per the prosecution case, the informant states that his son who went out with an unknown person did not return and was not to be found inspite of search.

4. Learned counsel for the petitioner submits that the FIR was registered against unknown. The petitioner was falsely implicated in the case in course of investigation. No incriminating article has transpired to connect the petitioner



with the alleged crime. He is in custody since 17.2.2023 and undertakes to cooperate in the trial. It is further submitted that the postmortem report does not support the allegations levelled in the confessional statement of Sanjay Kumar Chaurasia.

5. The prayer for bail is opposed by learned A.P.P for the State who submits that in course of investigation the confessional statement of Sanjay Kumar Chaurasia was recorded which led to the recovery of the dead body. The said Sanjay Kumar Chaurasia has stated about the role of this petitioner along with one another in committing the murder of the informant's son.

6. Having heard learned counsel for the parties and taking into consideration the allegations in the FIR, the material that has transpired in course of investigation, the contents of the postmortem report together with the confessional statement of co-accused Sanjay Kumar Chaurasia and the trial having commenced in the learned trial Court, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

7. Learned trial Court is directed to expedite the trial.

(Partha Sarthy, J)

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