

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73501 of 2023

Arising Out of PS. Case No.-188 Year-2022 Thana- AMNAUR District- Saran

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SRI KANT KUMAR @ SRI KANT SINGH, S/O LATE KESHAV PRASAD
SINGH, R/O VILLAGE- SHEKHPURA DIH , P.O.+P.S.- AMNOUR,
DISTRICT- SARAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Chandra Shekhar Singh, Advocate

Mr. Navneet Prabhakar, Advocate

For the Opposite Party/s : Mr. Shyam Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 05-03-2024

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.683 of 2022, arising out of Amnour P.S. Case no. 188 of 2022 registered under sections 302, 201 and 34 of the Indian Penal Code.

3. As per the prosecution case, the informant states that his neighbour Sri Kant Kumar, who is the petitioner herein and his wife had taken loan from the informant's wife. The informant's wife was called by the wife of the petitioner and subsequently she disappeared. On his wife not returning and his not getting proper answers from the neighbour, information was given to the police and later the dead body of the informant's wife was recovered from the kitchen of the house of the



petitioner. The informant submits that he is convinced that the two accused ie the petitioner and his wife have a hand in his wife's killing.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case in course of investigation. It is alleged that the petitioner's wife has confessed to killing the informant's wife. The petitioner is in custody since 6.7.2022 and the trial has proceeded. The petitioner undertakes to cooperate in the trial.

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

6. A report was called for from the learned trial Court. As per the report received, 9 witnesses have been examined on behalf of the prosecution. The doctor and the Investigating Officer remain to be examined.

7. Having heard learned counsel for the parties and taking into consideration the allegations against the petitioner in the FIR, dead body of the informant's wife having been recovered from the kitchen of the house of the petitioner together with the progress in the trial in the learned trial Court wherein 9 witnesses have been examined on behalf of the prosecution and only the doctor and the Investigating Officer



remain to be examined, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

8. In case, the doctor and the Investigating Officer have not already been examined, the Superintendent of Police, Saran at Chapra shall ensure their appearance in the trial for being examined on behalf of the prosecution at the earliest.

9. Let a copy of this order be communicated to the Superintendent of Police, Saran at Chapra.

(Partha Sarthy, J)

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