

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.333 of 2024

Arising Out of PS. Case No.-140 Year-2023 Thana- SHAHPUR PATORI District- Samastipur

DILKHOOSH KUWANR @ DILKHOOSH KUNWAR @ DILKHOOSH
KUMAR @ NEPALI KUWANR @ NEPALI KUNWAR@NEPALI @ NEPO
Son of Pammu @ Pammu Kuwanr R/o vill - Pidhauli, P.S. - Teghra, Distt. -
Begusarai (Bihar)

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Madhav Kumar, Advocate
For the Opposite Party/s	:	Mr. Abhay Kumar, APP
For the Informant	:	Mr. Surya Narayan Roy, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

5 17-05-2024

Heard the parties.

2. The petitioner is in judicial custody in connection with Shahpur Patori P.S. Case No. 140 of 2023 for the offence under sections 302 & 120-B of the I.P.C. and section 27 of the Arms Act lodged on 27.02.2023 by the informant, Premkant Thakur.

3. As per the prosecution story, the allegation is that Naveen Kumar Thakur (deceased) running a child care and Shiv Sheva Sadan in the partnership with Sumit Kumar. Differences had cropped up between the partners and allegation against this petitioner is that he called Naveen Kumar Thakur to meet him when he along with other accused fired on him and fled away. He was taken to the Sub-Divisional Hospital but they referred him to Sadar Hospital, Samastipur. He died on the way. Accordingly, the F.I.R.



4. In this case, case diary was called for by a coordinate Bench on 15.01.2024 and the same has been received.

5. Learned APP as also learned counsel for the informant took this Court to paragraph 6 of the case diary to show that it was the petitioner herein who opened fire on Naveen Kumar Thakur which proved fatal.

6. Learned APP also points out that the petitioner has criminal antecedent inasmuch as cases under Section 302 and 307 is/are under his belt.

7. In that background, no relief can be granted to the petitioner, the petition stands rejected.

8. Taking into account the fact that the petitioner is in custody since 18.04.2023 (as stated in paragraph 18 of the petition), this Court would expect the trial court to conclude the trial preferably within a period of nine months from the day the copy of the order is received in the Court.

(Rajiv Roy, J)

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