

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2469 of 2025

Arising Out of PS. Case No.-173 Year-2018 Thana- MATIHANI District- Begusarai

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Daulat Kunwar S/O Pankaj Kunwar R/O Vill.- Shankarpur Bakhadda, P.S.-
Matihani, Dist.- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pankaj Kumar, Advocate

For the Opposite Party/s : Mr. Dilip Kumar No. 1, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 04-04-2025 Heard learned counsel for the parties.

2. The he petitioner has renewed his prayer for bail in connection with Matihani P.S. Case no.173 of 2018 registered under sections 302, 120B and 34 of the Indian Penal Code and section 27 of the Arms Act.

3. As per the allegation in the F.I.R., the petitioner and two others are said to have fired with a pistol on the father of the informant, seriously injuring him resulting in his death.

4. It is submitted by learned counsel for the petitioner that the earlier prayer for bail of the petitioner was rejected vide orders passed in Annexure-1 series, the last being vide order dated 5.4.2023 passed in Cr. Misc. no. 61418 of 2022. In spite of the petitioner being in custody since 30.1.2019, the trial has still not concluded nor there is any chance of the same concluding in the near future. The coaccused Pankaj Kumar has



been enlarged on bail vide order dated 25.10.2024 (Annexure-3). The petitioner undertakes to cooperate in the trial.

5. The application for bail is opposed by learned APP for the State.

6. A report was called for from the learned trial Court. As per report received contained in letter dated 4.3.2025, the trial in the learned trial Court is at the stage of argument on behalf of the defence. The report further states that inspite of repeated opportunities having been granted, the defence is not concluding their argument resulting in delay in concluding the trial.

7. Having heard learned counsel for the parties and taking into consideration the allegations against the petitioner in the FIR wherein it is stated that as a result of firing resorted to by the petitioner and two others, the father of the informant sustained gunshot injury resulting in his death together with the trial having reached near its conclusion with the argument going on on behalf of the defence, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

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

(Partha Sarthy, J)

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