

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55252 of 2024

Arising Out of PS. Case No.-271 Year-2021 Thana- SHERGHATI District- Gaya

Surendra Chaudhary son of Ramjit Chaudhary Village- Kosma tola Khariat
PS- Dobhi Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.S. Jamil Akhter

For the Opposite Party/s : Mr.Ganesh Prasad Singh

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 29-01-2025 Heard learned counsel for the parties.

2. The following order was passed on 08.11.2023:

*“Heard learned counsel for the
petitioner and learned Additional Public
Prosecutor for the State.*

*2. The petitioner is in custody since
17.05.2021 in connection with Sherghati P.S.
Case No. 271/2021 registered for the offence
punishable under Sections 147/149/324/302 of
the Indian Penal Code.*

*3. As per the prosecution, six persons
took the victim Prince Kumar who was killed
later on. Other accused persons are also named
in the F.I.R. to have participated in the crime.*

*4. Learned counsel for the petitioner
submits that the petitioner has falsely
implicated in this case on the basis of suspicion.
He further submits that the petitioner is not
named in the F.I.R. The petitioner has no
criminal antecedents.*

5. Learned Additional Public



Prosecutor appearing on behalf of the State has vehemently opposed the prayer for bail.

6. In the impugned order, the learned Judge has said that the petitioner is the main accused. The murder weapon has been recovered on the statement of the petitioner.

7. Considering the fact that the petitioner is the main accused on whose statement, the murder weapon has been recovered, I am not inclined to grant bail to this petitioner. It is, accordingly, dismissed.

8. The trial of all the cases registered against the petitioner are directed to be expedited.

9. Let a copy of the order be communicated to the learned District Judge, Gaya as well as to the Senior Superintendent of Police, Gaya through FAX/e-mail forthwith for compliance of the order.”

3. The report has come from the Senior Superintendent of Police, Gaya that out of 16 prosecution witnesses, 9 witnesses have been examined.

4. Considering the aforesaid fact, this application is dismissed.

(Sandeep Kumar, J)

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