

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80178 of 2024

Arising Out of PS. Case No.-339 Year-2023 Thana- BAHADURGANJ District- Kishanganj

Sujit Kumar Bosak @ Sujit Kumar Basak Son of Mahaveer Lal Bosak Village
-Bosak Tola PS -Bahadurganj, Dist- Kishanganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Navin Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

4 09-05-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Bahadurganj P.S. Case No. 339 of 2023 dated 04.10.2023 instituted for the offence punishable under Sections 302/34 of the Indian Penal Code, but charge sheet has been submitted under Section 302, 120(b), 201/34 of the Indian Penal Code.

3. The prosecution case in short is that on the alleged dated of occurrence, the some co-accused persons caught the son of the informant (deceased) and petitioner repeatedly assaulted on the face, neck and head of the deceased by means of Dabiya. It is alleged that earlier there was enmity between them as the marriage of the deceased was solemnized with the daughter of the co-accused Mahaveer Lal Bosak. But when the



deceased went to jail several times, Mahaveer Lal Bosak got the marriage of her daughter solemnized with other.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. Learned counsel for the petitioner submits that the petitioner is the brother-in-law (sala) of the deceased. There is no eye-witness to the occurrence except confessional statement. There is no material against the petitioner. Lastly, it has been submitted that the petitioner is in custody since 05.10.2023 having no criminal antecedents. Charge-sheet has been submitted in the case.

5. Learned A.P.P. for the State vehemently opposed the prayer for bail of the petitioner stating that the petitioner assaulted with Dabiya due to which he died. Earlier the Court called Case Diary which is on record. The Principal District & Sessions Judge, Kishanganj in its report dated 26.04.2025 has stated that out of 11 charge sheet witnesses, five witnesses including the informant have been examined and rest 6 witnesses i.e. seizure list witnesses, doctor and I.O. are yet to be examined. During trial, one of the co-accused, namely, Sita Devi has died and a report has been called for from the concerned police station.



6. Considering the aforesaid facts and circumstances of the case, I am not inclined to grant bail to the petitioner at this stage.

7. Accordingly the prayer for regular bail on behalf of the petitioner stands rejected.

8. The learned trial court is directed to expedite the trial and take all endeavour to conclude the trial at the earliest, preferably, within a period of nine (9) months from the date of receipt or production of a copy of this order. In the event, the trial is not concluded within the stipulated period, the petitioner shall be at liberty to renew his prayer for bail after the expiry of nine months.

(Khatim Reza, J)

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