

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5482 of 2015

Arising Out of PS.Case No. -35 Year- 2005 Thana -ATRI District- GAYA

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1. Deosharan Singh Yadav Son of Late Karamdhari Prasad Yadav resident
of village - Chhatni, Police Station - Neemchak Bathani, District - Gaya

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Lakshmi Kant Sharma, Advocate.

For the Opposite Party/s : Mr. Narsing Tanti (App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

4 25-03-2015 Heard both sides.

The petitioner seeks bail in Atri P.S. Case No. 35 of 2005, registered for the offences punishable under Section 302 and other Sections of the Indian Penal Code.

Ashraf Quraishi the informant alleged that while he along with his brother Reyazuddin Quraishi was going, the petitioner and others assaulted Reyazuddin Quraishi with iron rod.

Learned counsel for the petitioner submits that the petitioner is an old man aged about 75 years, he is owner of the animal market. Allegation is false. Other accused persons namely Indal Yadav and Nunu Yadav have already been enlarged on bail.

It appears from perusal of the records that the petitioner along with Ramsharan Yadav and Karu Yadav are alleged to have

assaulted the deceased with iron rod on head and other parts of the body. The deceased died on account of injury caused by hard and blunt object. The case is of the year 2005. The case of the petitioner is different from the case of other accused persons who have already been enlarged on bail.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner above named on bail. Accordingly, the same is rejected.

However, the trial court is directed to expedite the trial and conclude the same within nine months from the date of receipt/production of a copy of this order, if the trial is not concluded the petitioner may renew his prayer for bail firstly in the court below.

(Prabhat Kumar Jha, J.)

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