

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7822 of 2015

Arising Out of PS.Case No. -112 Year- 2014 Thana -SINGHIYA District-
SAMASTIPUR

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Ram Pravesh Yadav Son of Late Laxmi Yadav, resident of village-
Neurighat, P.S.- Singhiya, District- Samastipur

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjit Kumar Yadav, Adv.

For the Opposite Party/s : Mr. Sadanand Paswan, Spl.APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 21-04-2015 Heard both sides.

The petitioner seeks bail in Singhiya P.S. Case No. 112/2014, registered for the offences punishable under Sections 120(B), 302/34 of the Indian Penal Code.

The informant alleged that he got information that his nephew Santosh Kumar Yadav was lying under wheel of tracker. The informant suspected that his nephew was killed by the petitioner and his dead body was put under the wheel to give the killing a picture of accident.

It is submitted that except suspicion none of the driver of the tractors named the petitioner. After one and half months of the occurrence one Raushan Kumar Singh made his statement under Section 164 of Cr.P.C. and he disclosed that petitioner

firstly asked the deceased to drive his tractor but when the deceased refused, the petitioner assaulted him with iron rod on his head and back.

It is submitted that from perusal of the post-mortem report no injury found on the head.

There appears that firstly the informant suspected the hands of petitioner in killing of his nephew Santosh Kumar Yadav and later on the cleaner of the tractor who was with the deceased at the time occurrence came forward and disclosed that the petitioner assaulted Santosh Kumar Yadav with iron rod on head, back and chest. The injuries were found on back and chest of the deceased. Petitioner has got criminal antecedent. Considering the facts, I am not inclined to enlarge the petitioner on bail. Accordingly, the same is rejected.

The trial court is directed to expedite the trial and concluded the same within one year from the date of receipt of this order.

(Prabhat Kumar Jha, J.)

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