

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21029 of 2015

Arising Out of PS.Case No. -49 Year- 2014 Thana -KAUAKOL District- NAWADA

1. Murlidhar Singh
2. Ranjeet Singh,
Both Sons of Ram Balak Singh, Resident of Village - Kapasi, P.S.
Karandey, District - Sheikhpura.
3. Manoj Singh, Son of Arjun Singh, Resident of Village - Bahachha, P.S.
- Chandradeep, District - Jamui.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

with

Criminal Miscellaneous No.35159 of 2015

Arising Out of PS.Case No. -49 Year- 2014 Thana -KAUAKOL District- NAWADA

Sri Kant Singh alias Mahto Son of Late Chando Singh, Resident of
Village - Jhandajor, P.S. Roh, District - Nawadah.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

(In Cr.Misc. No.21029 of 2015)

For the Petitioner/s : Mr. Akhileshwar Kumar Singh, Sr. Adv.
Mr. Deepak Kumar

For the Opposite Party/s : Mr. Rajendra Nath Jha(APP)

(In Cr.Misc. No.35159 of 2015)

For the Petitioner/s : Mr. Akhileshwar Prasad Singh, Sr. Adv.
Mr. Ram Prawesh Kumar

For the Opposite Party/s : Mr. S.Dayal (APP)

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

4 12-10-2015 Since in both the petitions petitioners are in custody in

connection with Kawakole P.S. Case No. 49 of 2014 registered for

the offence under Section 147/ 148/ 149/ 379/ 302/ 34 of the

Indian Penal Code and Section 27 of the Arms Act, and as such, both the petitions were heard together and are being disposed of by this common order.

Sri Akhileshwar Prasad Singh, learned senior counsel who was assisted by Sri Deepak Kumar, learned counsel for the petitioners, in the present case i.e. Cr. Misc. No. 21029 of 2015 submits that petitioners have falsely been implicated in the present case. He submits that petitioners have got no criminal antecedent. He submits that the informant though has claimed to be eye witness, he is not actual eye witness to the occurrence, but he has seen the accused persons fleeing away. Only on suspicion false implication has been made. Similarly, in the second case Sri Ram Prawesh Kumar, learned counsel for the petitioner, has argued that petitioner has falsely been implicated. He accepts that petitioner Sri Kant Singh alias Mahto is having criminal antecedent.

At the very outset, Sri Shyameshwar Dayal, learned A.P.P. as well as Sri Sanjay Kumar Manu, learned counsel, who has appeared voluntarily on behalf of the informant, submit that during the pendency of the present petitions case was already committed to the court of Sessions and evidence has commenced and till date altogether three witnesses have already been examined.

Keeping in view the fact that trial has already commenced, it would not be appropriate for this court to extend the privilege of bail to the petitioners.

Both the petitions stand dismissed.

Since the petitioners are in custody, the court expects that trial court may take appropriate steps for expeditious disposal of the trial.

(Rakesh Kumar, J)

Praful/-

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