

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42719 of 2014

Arising Out of PS.Case No. -13 Year- 2014 Thana -WEST CHAMPARAN GRP CASE District-
WESTCHAMPARAN(BETTIAH)

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Kishore Prasad @ Brij Kishore Prasad S/o Late Deenanath Prasad r/o
Village - Gyanbabu Chauk, P.S. - Motihari (T), District- East Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rakesh Kumar No.1, Advocate

For the Opposite Party/s : Mr. Bharat Lal, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

4 10-04-2015

Heard the parties.

The petitioner seeks bail in a criminal prosecution registered under Sections 328, 379 and 307/34 of the Indian Penal Code.

Taking into consideration the fact that the occurrence in question had taken place on a Railway Station, when the informant along with his family members got down from a train where the petitioner is alleged to have administered poison and snatched Rs.40,000/- in cash, and further taking into consideration the fact that the petitioner is involved in same type of another criminal case also from before which finds mentioned in paragraph 3 of the application, this Court is not inclined to accede to the prayer made on behalf of the petitioner for grant of bail at this stage. Accordingly, the prayer for bail of the petitioner in connection with Sugauli Rail P.S.Case No. 13 of 2014 pending in the court of learned Judicial Magistrate (Railway), Bettiah is rejected for the present.

Learned Judicial Magistrate (Railway), Bettiah, who

is in seisin of the case, is directed to commit the case of the petitioner to the court of session, if not already committed, within a maximum period of one month from the date of receipt/production of a copy of this order. On such commitment, endeavour shall be made to take up the trial of the petitioner on priority basis and conclude the same at an early date.

However, if the trial of the petitioner is not concluded within a period of one year from the date of framing of charge without there being any fault on the part of the petitioner, he shall be at liberty to renew his prayer for bail before the learned trial court itself.

(Birendra Prasad Verma, J)

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