

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35912 of 2014

Arising Out of PS.Case No. -73 Year- 2014 Thana -JAMUI District- JAMUI

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Subhash Mahton @ Yubraj Mahton, Son of Sunil Mahton, Resident of
Village – Kakan, P.S. – Jamui, District – Jamui.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Yogesh Chandra Verma, Sr. Advocate.

For the Opposite Party : Mr. Rajendra Singh Shastri(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

9 21-04-2015

Heard both sides.

The petitioner seeks bail in Jamui P.S. Case No. 73 of 2014, registered for the offences punishable under Sections 302, 307 and other Sections of the Indian Penal Code, Section 27 of the Arms Act and Section 3/4 of the Explosive Substances Act.

The informant named this petitioner along with other accused persons and made very specific allegation that Jodhi Mahto assaulted Niraj Singh and the informant with lathi. The accused Kamlesh Mahto, Subhash Kumar @ Birappan and Subhash Mahton @ Yubraj Mahton, the petitioner are alleged to have thrown bomb and thereafter Dashrath Mahto, Suresh Mahto, Saudagar Mahto and Sunil Mahto made indiscriminate firing killing Niraj Singh on the spot.

It is submitted that the petitioner is in jail for last one

year and the trial has not yet been concluded.

Taking into consideration that there is very specific allegation that the petitioner exploded bomb and others made indiscriminate firing on Niraj Singh who died on the spot, I am not inclined to enlarge the petitioner above named on bail. Accordingly, the same is rejected.

The trial court is directed to expedite the trial and conclude the same within one year from the date of receipt/production of a copy of this order.

The S.P., Jamui is also directed to produce the witnesses one by one in course of trial, so that the trial must be concluded within one year. Let the copy of this order be also sent to S.P. Jamui for compliance.

(Prabhat Kumar Jha, J.)

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