

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.28070 of 2014

Arising Out of PS.Case No. -71 Year- 2014 Thana -LAKHISARAI District- LAKHISARAI

Shambhu Ram Son of Satnarayan Ram R/o village- Bhola Tola English,
Ward no.-1, P.S. and District- Lakhisarai

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s :

For the Opposite Party/s :

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH

ORAL ORDER

4 14-10-2015 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in Lakhisarai P.S. Case No.
71 of 2014 dated 01.02.2014 instituted under Sections 302/201/34
of the Indian Penal Code.

The allegation against the petitioner and four others
is that they had called the husband of the informant on 31.01.2014
at 5:00 p.m. from his house on the pretext of him having to cook
whereafter his dead body was recovered the next morning.

Learned counsel for the petitioner submits that the
allegation is based on mere suspicion as nobody has seen the

petitioner being involved in the crime. It is further submitted that out of the five named accused persons, the police have found three persons to be not involved in the crime and the petitioner and another co-accused have been chargesheeted without any legal evidence. It is also submitted that the petitioner is in custody since 10.03.2014 barring two weeks for which he was granted provisional bail.

Learned A.P.P. opposes the prayer for bail and submits that the petitioner and another person, after proper investigation, have been found to be involved in the crime and further the petitioner also has criminal antecedent inasmuch as four other cases have been registered against him in the year 2002, 2004, 2006 and 2010 under serious sections including 302 of the Indian Penal Code as well as the Arms Act.

Considering the facts and circumstances of the case and submissions of learned counsel for the parties, the Court is not inclined to enlarge the petitioner on bail.

Accordingly, the application stands dismissed.

However, the court below shall expedite the trial and conclude the same within six months.

(Ahsanuddin Amanullah, J)

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