

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36593 of 2015

Arising Out of PS.Case No. -99 Year- 2011 Thana -EKMA District- SARAN

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1. Shashi Bhushan Patel S/o Lakshman Patel R/o village - Parsa Garh, P.S.
Ekma, Distt. - Saran

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pravin Kumar Sinha

For the Opposite Party/s : Mr. Ram Sumiran Rai(App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

3 02-12-2015 Heard the learned counsel for the petitioner as well as
the learned A.P.P.

The petitioner seeks bail in a case for the offence
punishable under section 302/34 of the I.P.C

The allegation against the petitioner is that he cut the
neck of Achhaya Lal Sahni @ Bega Sahni and co-accused
Lakshman Patel pierced knife in his chest and Shushma Devi gave
knife blow in his stomach and Chandrika Patel also gave knife
blow resulting Achhaya Lal Sahni became seriously injured and
died.

Submission is of false implication and that the
petitioner is in custody since 16.08.2011 without any progress in
the trial. Co-accused Lakshman Patel now has been allowed bail

considering that there is no progress in the trial vide Cr. Misc. No. 50558 of 2014 by order dated 11.02.2015 and up till now only one witness has been examined and as such the petitioner deserves sympathetic consideration, to which the learned A.P.P. opposes by submitting that sharp cut injury on the front of the neck in the middle has been found by the doctor during postmortem examination.

In the facts and circumstances as stated above, considering the allegation attributed against the petitioner, serious in nature, this Court is not inclined to enlarge the petitioner on bail and accordingly his such prayer stands rejected in connection with Sessions Trial No. 06 of 2012 arising out of Ekma P.S. Case No. 99 of 2011 pending in the court of Additional Sessions Judge-8, Saran at Chhapra.

However, the trial court is directed to expedite the trial and to conclude the same within six months considering the custody of the petitioner.

(Jitendra Mohan Sharma, J)

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