

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33223 of 2014

Arising Out of PS.Case No. -93 Year- 2014 Thana -CHANDI District- NALANDA
(BIHARSHARIFF)

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Manoj Ram			Petitioner/s
Versus			
The State of Bihar			Opposite Party/s

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with
Criminal Miscellaneous No.42869 of 2014

Arising Out of PS.Case No. -93 Year- 2014 Thana -CHANDI District- NALANDA
(BIHARSHARIFF)

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Sunil Kumar			Petitioner/s
Versus			
The State of Bihar			Opposite Party/s

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Appearance :
(In Cr.Misc. No.33223 of 2014)
For the Petitioner/s : Mr. Sanjay Kumar
For the Opposite Party/s : Mr. Pushpa Sinha 2 (App)
(In Cr.Misc. No.42869 of 2014)
For the Petitioner/s : Mr. Anil Kumar Singh
For the Opposite Party/s : Mr. S.Eheteshmuddin(App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 09-01-2015 Heard learned counsels for the petitioner and the State.

The petitioners are languishing in jail since 11.04.2014 and 08.04.2014 in a case registered for the offences punishable under Sections 341, 504, 307/34 and 302 of the Indian Penal Code.

It is alleged that the petitioners went to the shop of the informant and asked for Gold Flake cigarette which was not available thereafter the petitioners dragged the father of the

informant and thrown him on the road as a result of which, he received bleeding injury and consequently he died.

It is submitted by learned counsel for the petitioners that there was no intention of the petitioners to kill, hence the case does not come within the ambit of Section 302 of the IPC rather it comes within the purview of Section 304 of the IPC.

It is submitted on behalf of the petitioner Sunil Kumr that the statement of the son of the victim was recorded at PMCH where he stated that it was the other accused Manoj Ram who caused injury to his father.

Considering the nature of accusation, this Court is not inclined to grant bail to the petitioners.

Accordingly, the prayer for bail of the petitioners is rejected in connection with S. T. No. 496 of 2014 arising out of Chandi P.S. Case No. 93 of 2014 pending in the court of learned 3rd Addl. Sessions Judge, Hilsa, Nalanda.

Let the learned trial court expedite the trial. If the trial is not concluded within a period of one year, the petitioners will be at liberty to renew their prayer for bail.

(Dinesh Kumar Singh, J)

Amrendra/-

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