

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9399 of 2015

Arising Out of PS.Case No. -107 Year- 2014 Thana -CHANAN District- BANKA

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1. Ashish Yadav Son of Hriday Yadav
2. Mohan Yadav Son of Lakhan Yadav Both are Residents of Village -
Nankudih, Peshraha, P.S. Chandan (Anandpur O.P.), District - Banka

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Jha

For the Opposite Party/s : Mr. C.Sen Pd.Singh(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

5 07-05-2015

Heard both sides.

The petitioners seek bail in Chandan (Anandpur O.P.) P.S. Case No. 107 of 2014 registered under section 302 and other allied sections of the Indian Penal Code.

The informant alleged that his sister-in-in-law disclosed him that the petitioners brutally assaulted his father Bhubneshwar Yadav after tying his hands and legs. The informant further disclosed that his father also disclosed that petitioners brutally assaulted him and thereafter his father died.

Learned counsel for the petitioners submits that from perusal of the case diary it would appear that Sanha was registered at 3 P.M. on 27.11.2014. The informant did not inform

the police immediately after the occurrence. The entire case is concocted. There is no eye witness of the occurrence. But from perusal of the record it appears that the informant gave his farbdbeyan at 17 hours. The inquest report was prepared at 12.15 P.M.on 27.11.2014. This fact disclosed that the police arrived at the place of occurrence at 12.50 P.M. in the noon on 27.11.2014 and thereafter Sanha was registered. The informant as well as the sister-in-law in paragraph eight of the case diary stated that the petitioners brutally assaulted Bhubneshwar yadav.

Considering the fact that the victim himself disclosed that the petitioners have brutally assaulted him and thereafter he died, I am not inclined to enlarge the petitioners on bail. The same is rejected. The trial court is directed to expedite the trial and conclude the same within a period of one year from the date of receipt/production of a copy of this order. If the trial is not colluded within the stipulated period, the petitioners may renew his prayer for bail.

(Prabhat Kumar Jha, J)

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