

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7363 of 2015

Arising Out of PS.Case No. -64 Year- 2014 Thana -BADHAILA District- SASARAM (ROHTAS)

1. Tulsi Singh Son of Late Wakil Singh
2. Ajit Kumar
3. Jaswant Kumar Both sons of Tulsi Singh Resident of village -
P.S. Baghaila, District - Rohtas
..... Petitioner/s

Versus

1. The State of Bihar
..... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Mishra

For the Opposite Party/s : Mr. Mustaque Alam(App)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 14-05-2015

Heard both sides.

The petitioners seek regular bail in a case under section 302 and other allied Sections of the Indian Penal Code.

The informant named six persons and alleged that they all assaulted his brother Sonu Kumar with lathi and iron rod. Sonu died during the course of treatment. When the informant went to save him, the accused persons also assaulted the informant and his father.

It is submitted that there is a counter version also. Jaswant Kumar, petitioner no. 3, lodged a case vide Baghaila P.S. Case No. 65/14 under section 307 and other allied sections of the Indian Penal Code against the informant and others. It is further submitted that Sonu Kumar got one injury on head. Two other injuries are found on elbow and hand. Six persons are alleged to

have assaulted the deceased. The petitioners are in jail since 1.10.2014.

Learned counsel for the informant as well as the learned Additional Public Prosecutor for the State opposed the prayer for bail.

It appears that the petitioners are alleged to have assaulted Sonu Kumar with lathi and iron rod. Head of Sonu was found smashed and the brain was full of blood on account of which he died.

Considering the aforesaid, I am not inclined to enlarge the petitioners on bail in connection with Baghaila P.S. Case No. 64/14 pending in the court of Sri P. K. Srivastava, Judicial Magistrate, 1st Class, Rohtas at Sasaram. This application for bail is, accordingly, rejected.

The trial court is directed to expedite the trial and conclude the same within nine months from the date of receipt /production of a copy of this order. If the trial of the petitioners is not concluded within the aforesaid time, the petitioners may renew their prayer for bail firstly in the trial court.

(Prabhat Kumar Jha, J)

Amin/-

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