

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5493 of 2015

Arising Out of PS.Case No. -8 Year- 1996 Thana -CHAKIA District- EAST CHAMPARAN
(MOTIHARI)

Suresh Mali @ Suresh Malik Son of Late Harihar Mali Resident of village -
Sitalpur, P.S. Chakia, District - East Champaran

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance:

For the Petitioner/s : Mr. Nafisuzzoha

For the Opposite Party/s : Mr. Indra Kr. Singh (App)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

5 23-07-2015

Heard both sides

The petitioner seeks bail in a case under Section 302
and other sections of the Indian Penal Code.

The petitioner is not named in the F.I.R. but, during
the course of investigation, one Mahangu Dhangad, in para 30 of
the case diary, claimed himself to be an eye-witness of the
occurrence and disclosed that it was the petitioner who slit the
neck of the deceased Ram Chandra Ram. The witness also
disclosed the name of Baijnath Mallick, Kailash Mallick and
Asharfi Mallick who dragged Ram Chandra Ram. The quarreling
took place only because the deceased did not pay the price of
liquor. It is submitted that other accused persons have been
acquitted vide order passed in Sessions Trial No. 199/1998. The
petitioner is in jail since 14.02.2014.

Having considered the fact that it was the petitioner who slit the neck of the deceased, I am not inclined to enlarge the petitioner on bail in Chakia P.S. Case No. 08 of 1996. Accordingly, the same is rejected.

However, the trial court is directed to expedite the trial and conclude the same within nine from the date of receipt / production of this order.

(Prabhat Kumar Jha, J)

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