

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51981 of 2015

Arising Out of PS.Case No. -218 Year- 2013 Thana -BANIAPUR District- SARAN

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1. Ganesh Nut Son of Kitab Nut, resident of village- Harpur Karah, P.S.-
Baniyapur, District- Saran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Basant Kumar Singh

For the Opposite Party/s : Mr. Damodar Pd.Tiwary(App)

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL ORDER

2 15-12-2015 Heard Mr. Singh for the petitioner and the APP for the
State.

Petitioner seeks bail in Baniyapur P.S. Case No. 218 of
2013 registered under section 302 and other allied sections of the
Indian Penal Code.

Although, petitioner is cited to be a member of the mob
which intercepted the deceased but subsequently it is alleged that
the petitioner along with three others indiscriminately assaulted
the son of the informant with heavy sharp cutting weapon causing
his instantaneous death.

It is submitted that there is motive for false implication.
Other co-accuseds, who were member of the mob, have been
released on bail. Petitioner is languishing in custody since
21.11.2014.

Learned APP opposed the prayer for bail and submitted that petitioner with three others are the assailants of the deceased.

Having considered the allegation and the other materials from the record, I am not persuaded to grant privilege of bail to the petitioner. Prayer is rejected. Since, the petitioner is in custody since last one year, he is granted liberty to renew his prayer for bail in the Court below itself if the trial does not record adequate progress within nine months from the date of receipt/production of a copy of this order.

Pankaj/-

(Kishore Kumar Mandal, J)

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