

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34362 of 2014

Arising Out of PS.Case No. -36 Year- 2014 Thana -MADHEPUR District- MADHUBANI

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1. Ram Prasad Yadav . Son of Jugali Yadav ,
2. Mahesh Yadav Son of Ramchaliter Yadva ,
3. Ram Khelawan Yadav, S/o Kushe Yadav , All resident of village -
Birpur , P.S. - Madhepur , District - Madhubani .

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Hriday Narayan Harshit

For the Opposite Party/s : Mr. R.S.Choudhary(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 16-01-2015 Heard both sides.

The petitioners seek bail in Madhepur P.S. Case No. 36 of 2014 registered under section 302 and other allied sections of the Indian Penal Code.

Manju Devi the informant named the petitioners along with others and alleged that they all assaulted her father-in-law Ram Chandra Yadav and Ram Bihari Yadav with gun, pistol, farsa. Lathi and tengari.

Learned counsel for the petitioners submits that there is a case and counter case. From the side of the petitioners Madhepur P.S. Case no. 34 of 2014 was registered under section 302 of the Indian Penal Code for killing Rinku Yadav @ Niraj Kumar. There is no specific allegation of assault against the petitioners and the occurrence took place on account of land dispute.

Learned counsel for the informant on the other hand submits

that all the petitioners are alleged to have assaulted Ram Chandra Yada and Ram Bihari Yadav. Ram Bihari succumbed to the injury. Ramchandra got many injuries on head, chest and abdomen and some firearm injury was also found

Considering the fact that petitioners and others are alleged to have assaulted Rambihari Yadav and Ramchandra Yadav and many injuries including fire arm injuries are found on the body of deceased, I am not inclined to enlarge the petitioners on bail at this stage. The prayer for bail is rejected. The learned judicial Magistrate who is in seisin of the case is directed to commit the case forthwith and after commitment the learned trial judge shall expedite the trial and conclude the same within nine months from the date of receipt of a copy of this order. If the trial is not concluded within the aforesaid period, the petitioners may renew their prayer for bail firstly before the trial court.

(Prabhat Kumar Jha, J)

M.Rahman/-

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