

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.8952 of 2015

Arising Out of PS.Case No. -70 Year- 2012 Thana -GANGABRIDGE District- VAISHALI
(HAJIPUR)

Kamta Rai @ Kanta Rai, S/o Sant Lal Rai, Resident of Village Terasia, P.S.
Gangabridge, District Vaishali.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance:

For the Petitioner/s : Mrs. Usha Kumari Singh

For the Opposite Party/s : Mr. Shantanu Kumar (App)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR

JHA

ORAL ORDER

4 06-05-2015 Heard learned counsel for the petitioner, learned
A.P.P. as well as learned counsel appearing on behalf of the
informant.

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

The informant alleged that Bhuneshwar Rai injured
Ganga Rai with a motorcycle and, on alarm, he went there. His
son Ram Sagar Rai also went there. Kamta Rai caught one hand of
Ram Sagar Rai and Muneshwar Rai held another hand. On such,
Bhuneshwar Rai assaulted Ram Sagar Rai with Dab in his
abdomen. Ram Sagar Rai died. Learned counsel for the petitioner
submits that the petitioner is not the assailant and he is in jail since
12.08.2014.

Learned counsel for the informant disclosed that the petitioner has stated in Para 3 of the Bail Petition that he has got no criminal antecedent but, later on, the petitioner disclosed that he got one case registered under Sections 25(1-b)A, 26(ii) of the Arms Act, bearing Khajekalan P.S. Case No. 159/2014, but the petitioner is also accused in Hajipur Sadar Ganga Bridge P.S. Case No. 285/2001 registered under Section 302 and other sections of the Indian Penal Code. The petitioner has concealed this fact.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner on bail in Gangabridge P.S. Case No. 70 of 2012. Accordingly, the same is rejected.

The trial court is directed to expedite the trial and conclude the same within six months from the date of receipt/production of copy of this order. If the trial is not concluded within the stipulated period of time without any fault on the part of the petitioner, the petitioner may renew his prayer for bail first in the trial court.

(Prabhat Kumar Jha, J)

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