

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14857 of 2015

Arising Out of PS.Case No. -269 Year- 2014 Thana -GOPALGANJ CITY District- GOPALGANJ

1. Bishwanath Ram Son of Late Sukhari Ram,
2. Biran Ram, Son of Bishwanath Ram, Both are Resident of Village -
Karariya, Purab Tola, Police Station - Gopalganj, District - Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Lokesh Kumar Singh

For the Opposite Party/s : Mr. Bharat Lal (App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 05-05-2015

Heard learned counsels for the petitioner and the State.

The petitioner is languishing in jail since 24.12.2014 in
a case registered for the offences punishable under Sections 341,
323, 324, 307, 379 and 302/34 of the Indian Penal Code.

It is alleged that on 3rd March, 2014, the father of the
petitioner was assaulted by petitioner Bishwanath Ram and co-
accused Ram Naresh Ram, subsequently on 30.06.2014 at 6.30
PM, the father of the informant, while coming home, was
assaulted by the petitioners and co-accused Ram Naresh Ram and
when the mother and sister of the informant went to rescue, they
were also assaulted, subsequently, the father of the informant
succumbed to the injuries.

It is submitted by learned counsel for the petitioners that

the FIR has been lodged with delay. The accusation of assault is omnibus and general. Moreover, neither the informant nor the mother or sister of the informant are the eye-witness to the actual assault to the father of the informant. A statement has been made in para 3 of the petition that the petitioners have no criminal antecedent.

Considering the nature of accusation, this Court is not inclined to grant bail to the petitioners at present in connection with Gopalganj Town P.S. Case No. 269 of 2014.

Accordingly, the application is rejected.

Let the trial be expedited. If the trial is not concluded within a period of nine months, petitioners shall be at liberty to renew their prayer for bail.

(Dinesh Kumar Singh, J)

Amrendra/-

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