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Versus

.... Opposite Party/s

Arising Out of PS.Case No. -213 Year- 2014 Thana -KARPI District- JEHANABAD

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Versus

.... Opposite Party/s

For the Petitioner/s : Mr. Diwakar Prasad Karn

(In Cr.Misc. No.20039 of 2015)

For the Opposite Party/s : Mr. Ajay Kr. Jha (App)

learned Additional Public Prosecutor for the State.

The petitioners are in custody in connection with Karpi P.S. Case No. 213 of 2014 for the offences instituted under section 302/34 of the Indian Penal Code and section 27 of the Arms Act.



The prosecution story, in brief, is that on the date of occurrence the petitioners along with other co-accused persons caught hold of Jhalakdeo Yadav, father of the informant, and took him to the field. Petitioner Mahendra Yadav along with Ravi Kumar and Munna Kumar shot at the chest of the father of the informant and Lalu Yadav gave knife blow resulting into his death. Petitioner Akhilesh Yadav shot at Dhanjay Kumar, cousin of the informant.

It has been submitted on behalf of the petitioners that the petitioners have been falsely implicated in the present case. The informant is not an eye witness to the occurrence. He got information from one Dhananjay Kumar. No specific role has been assigned against the petitioners. It has further been submitted on behalf of the petitioners that as per post mortem report there was only one fire arm injury upon the deceased whereas three accused persons are alleged to have shot at the deceased. The other injury found on the deceased was by hard and blunt substance. It is further submitted that actually a land dispute is going on in between both the parties. The petitioners are in custody since 6.2.2015 and 28.02.2015 respectively.

Considering the aforesaid facts and circumstances of the case, I am not inclined to grant bail to the petitioners in

connection with Karpi P.S. Case No. 213 of 2014 pending in the court of Sri B. M. Tripathi, Judicial Magistrate, 1st Class, Jehanabad. However, the trial court is directed to expedite the trial and conclude the same within a period of one year from the date of receipt/production of a copy of this order. If the trial is not concluded within the time aforesaid, the petitioners would be at liberty to renew their prayer for bail, if so advised.

(Sudhir Singh, J)

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