

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.23384 of 2015

Arising out of PS.Case No. -114 Year- 2014 Thana -THAWE District- GOPALGANJ

Azad Khan, Son of Amirullah Khan, resident of Village- Gawandari, P.S Thawe, District Gopalganj.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Raj Dular Sah, Advocate.

For the Opposite Party : Mr. Binod Kumar -II(App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 02-09-2015 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner is languishing in custody since 29.08.2014 in connection with Thawe P.S. Case No. 114 of 2014 for the offences instituted under Sections 341, 324, 307 and 302 of the I.P.C.

The prosecution story, in brief, is that the informant got information that his sister, namely, Bebi Khatoon has been killed by her brother-in-law, the informant on such information he alongwith his villagers reached in the evening at village-Gobdhari Fakirana and saw that his sister died and her wrist of left hand has been cut and left hand has been half cut and injury of knife was on the neck where his daughter, namely, Najrana Khatoon aged about



10 years used to live in connection with her study and his sister's son, namely, Raja Khan aged about 10 years were enquired who told that both came from School at 3 P.M. at home and saw her sister was breathing her last and was blood stained and neighbour, namely, Naga Sai aged about 22 years was also lying on the land in injured position. It is further alleged that her sister(deceased) told to his sister's son, namely, Raja Khan that the petitioner blow Grasi resulting death to both the deceased and one Naga Sai and after hearing the cry of both the children villager came and both were taken to Hospital for treatment where her sister was declared dead by the doctor and Naga Sai was referred to Gorakhpur Hospital for better treatment.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 29.08.2014 and the charge sheet has been submitted in the present case. It is further submitted that the petitioner has got no criminal antecedent. It is further submitted that the petitioner has falsely been implicated in the present case.

On behalf of the State it has been submitted that the petitioner is named in the F.I.R. The main allegation of assaulting the deceased is against the petitioner.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioner in connection with

Thawe P.S. Case No. 114 of 2014, pending in the court of the learned C.J.M., Gopalganj. The same is rejected. Anyhow, the court below is directed to take all necessary steps to conclude the trial preferably within a period of one year from the date of receipt/production of copy of this order.

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(Sudhir Singh, J)