

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20801 of 2016

Arising Out of PS.Case No. -179 Year- 2015 Thana -SATHI District-
WESTCHAMPARAN(BETTIAH)

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1. Jahangir Mian Son of Rasid Mian Resident of Village- Daniyal Parsauna,
PS Sathi, District West Champaran.

.... Petitioner

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. Anita Kumari Singh(App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

3 30-06-2016 Heard learned counsel for the petitioner, learned

counsel for the informant and learned A.P.P. representing the

State.

The petitioner seeks bail in connection with Sathi
P.S. Case No. 179 of 2015 initially, registered for the offences
punishable under Sections 147, 148, 149, 323, 324, 307, 379,
448, 504 of the Indian Penal Code and subsequently, Section
302 of the Indian Penal Code was added.

The allegation against the petitioner is that he and
Md. Imroz @ Shami Akhtar with an intention to kill started

assaulting Jahur Mian, the brother of the informant resulting head injury and he became unconscious, other accused persons assaulted other and further they took away box containing cash of rupees ten thousand, clothes, ornaments, rice, pulses and other articles. During treatment, Jahur Mian died.

Submission is of false implication and that there is case and counter case, both sides have received injury, the occurrence is of 17.08.2015 whereas Jahur Mian died on 20.08.2015, there was no intention to commit murder and, as such, the petitioner, who is suffering in custody since 04.09.2015, deserves sympathetic consideration to which the learned A.P.P. duly assisted by learned counsel for the informant opposes by submitting that the petitioner is one of the assailants.

In the facts and circumstances stated above, considering the allegation against the petitioner, I am not inclined to enlarge the petitioner on bail and accordingly, his such prayer stands rejected in connection with Sathi P.S. Case No. 179 of 2015 corresponding to Sessions Trial No. 04 of 2016 pending in the Court of learned 3rd Additional Sessions Judge, West Champaran at Bettiah.

However, let the trial be expedited and concluded preferably within nine months from the date of receipt/production of copy of this order.

(Jitendra Mohan Sharma, J)

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