

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9268 of 2016

Arising Out of PS.Case No. -93 Year- 2015 Thana -BANGAON District- SAHARSA

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1. Rupesh Khan @ Dhananjay Khan S/o Balram Khan resident of village -
Parari, P.S. Bangaon, District - Saharsa

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anuj Kumar

For the Opposite Party/s : Mr. Renuka Ratnakar (App)

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

ORAL ORDER

3 28-04-2016

Heard the learned counsel for the petitioner, the
learned A.P.P for the State as also the learned counsel for the
Informant.

The petitioner seeks bail in a case for the offences
punishable under sections 364, 302, 201 and 379/34 of the I.P.C

Allegedly, the petitioner and other FIR named co-
accused and 7-8 unknown surrounded the informant and her
husband, kidnapped the husband of the informant and took away
forcibly in the Bolero and Babloo Khan, the husband of the
informant, was brutally assaulted and thereafter the informant
informed to the police station and went there. In the way to Patna
the husband of the informant succumbed to the injuries.

Submission is of false implication and that the
informant is not the witness of the assault, she has only stated that

the petitioner was also involved in kidnapping the deceased, some of the witnesses have come to say on the point of assault after much delay which cannot be relied upon, the postmortem report is also not consistent to the prosecution version and as such the petitioner deserves sympathetic consideration, to which the learned A.P.P. duly assisted by the learned counsel for the informant seriously opposes by submitting that the prayer for bail of other co-accused, namely, Rabindra Yadav and Balram Khan have already been rejected vide Cr. Misc. No. 8318 of 2016 and 7358 of 2016 by another coordinate Bench of this Court, trial is going on and the petitioner has got criminal antecedent as he is involved in seven more cases.

In the facts and circumstances as stated above, considering the allegation attributed against the petitioner, I am not inclined to enlarge the petitioner on bail and accordingly his such prayer stands rejected in connection with Bangaon P.S. Case No. 93 of 2015 pending in the court of C.J.M. Saharsa.

However, the trial court is directed to expedite the trial and to conclude the same as per the direction given in Cr. Misc. No. 8318 of 2016.

(Jitendra Mohan Sharma, J)

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