

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37437 of 2016

Arising Out of PS.Case No. -130 Year- 2013 Thana -AURAI District- MUZAFFARPUR

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1. Daya Shankar Thakur Son of late Rajendra Thakur, Resident of village-Dharharba P.S Aurai, Distt Muzffarpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Virendra Kumar, Advocate

For the Opposite Party/s : Mr. Md. Ansarul Haque, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 16-12-2016

Heard learned counsel for the Petitioner and the State.

The Petitioner seeks bail in Sessions Trial No.771 of 2013 arising out of Aurai P.S. case No.130 of 2013 instituted for the offence under Section 302 of the Indian Penal Code, pending in the court of learned 7th Additional Sessions Judge, Muzaffarpur.

Allegation is that the petitioner committed the murder of his own father.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 2.8.2013. The petitioner has got no criminal antecedent. Charge sheet has been submitted in the case. There is no allegation of tampering of witnesses against the petitioner. The petitioner has falsely been implicated in the present case by the informant due to family property dispute. There is no motive alleged against the petitioner for committing the murder of his own father.



On behalf of the State, it is submitted that there is specific allegation against the petitioner for committing the murder of his father. The postmortem report also supports the allegations made in the F.I.R.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioner. The same is rejected. The Trial Court is directed to take all necessary steps to expedite the trial and conclude the same preferably within a period of one year from the date of receipt/production of a copy of this order taking into account that the petitioner is in custody since 2.8.2013.

The District Magistrate, Muzaffarpur and the Senior Superintendent of Police, Muzaffarpur are also directed to ensure that the prosecution witnesses are produced on the date fixed by the Trial Court so that the trial could be concluded within the stipulated period.

Let this order be communicated to the District Magistrate, Muzaffarpur and the Senior Superintendent of Police, Muzaffarpur.

(Sudhir Singh, J)

Narendra/-

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