

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47966 of 2016

Arising Out of PS.Case No. -311 Year- 2013 Thana -SIWAN CITY District- SIWAN

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Sanjit Kumar, Son of Nirmal Yadav, Resident of Village- Tarwa, Barka Tola, Police Station- Siwan Muffasil, District- Siwan.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Raghav Prasad, Advocate

For the Opposite Party : Mr. Sri Uma Shankar Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

2 17-11-2016 Heard the counsel for the petitioner and learned APP for the State.

Petitioner prays for bail in connection with Siwan Town P.S.Case No.311 of 2013 registered under Sections 302/34 and 120(B) of the IPC.

The allegation is that the petitioner accompanied the son of the informant to Siwan where he was severely injured. On getting information that the son was admitted to hospital, they rushed there only to find his son dead.

Contention of the petitioner is that on suspicion, the FIR has been lodged against the petitioner. He is in custody since 05.08.2013. One accused, namely, Bini Soni has been granted bail by this Court vide Cr.Misc.No.26733 of 2016.

Learned APP for the State opposed the prayer and submits that several other accused persons of the case have been refused bail by this Court. Apart from the allegation which found substance in course of investigation, the petitioner carries criminal antecedent the trial of the case is an advance stage.

Considering the facts and circumstances of the case as well as the materials reflected from the record, I am not inclined to release the petitioner on bail. Prayer is rejected.

However, considering the fact that the petitioner is in custody since 05.08.2013, the Court grants liberty to the petitioner for bail, if the trial is not concluded within four months from the date of receipt/communication of the order.

(Kishore Kumar Mandal, J)

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