

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3631 of 2016

Arising Out of PS.Case No. -171 Year- 2014 Thana -MURLIGANJ District- MADHEPURA

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1. KAPUR CHAND DAS @ KAPURCHANDRA DAS Son of Late Domi Das Resident of village - Rajni Ward No. 15, P.S. Murliganj, District - Madhepura

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shekhar Kumar Singh, Advocate

For the Opposite Party/s : Mr. Shailendra Kumar No.2 (App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 17-03-2016 Heard learned counsel for the petitioner and learned A.P.P. representing the State.

The petitioner seeks bail in connection with Murliganj P.S. Case No. 171 of 2014 registered for the offences punishable under Sections 302 and 120(B)/34 of the Indian Penal Code.

Allegedly, the petitioner and other co-accused named in the First Information Report started assaulting Upendra Das, the father of the informant, causing his death in the courtyard of the petitioner.

Submission is of false implication due to enmity, there is no specific allegation and the petitioner is suffering in custody since 28.11.2014, there is no legal and tangible material against

the petitioner and, as such, he deserves sympathetic consideration as in near future the trial is not likely to be concluded and co-accused Bijendra Das has been allowed bail.

The learned A.P.P. opposes the prayer of bail by submitting that the case of the petitioner is on different footing as in the courtyard of the petitioner the father of the informant was killed.

In the facts and circumstances stated above, considering that the father of the informant was killed in the courtyard of the petitioner and the deceased has received multiple injuries and, as such, I am not inclined to enlarge this petitioner on bail and accordingly, at this stage, his such prayer stands rejected.

However, the trial court is directed to expedite the trial and conclude the same preferably within four months after taking the same on day to day basis, failing which, the petitioner may be at liberty to renew his prayer for bail.

(Jitendra Mohan Sharma, J)

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