

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11924 of 2016

Arising Out of PS.Case No. -91 Year- 2015 Thana -PURANHIA District- SHEOHAR

Vipin Sah @ Abhishek Kumar Son of Harishankar Sah Resident of Village
- Hathsar, P.S. Purnahiya, District - Sheohar.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Devendra Kumar

For the Opposite Party/s : Mr. Mukesh Kr.Singh(App)

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

3 03-05-2016 Heard the learned counsel for the petitioner and the
learned A.P.P representing the State.

The petitioner seeks bail in connection with
Purnahiya P.S. Case No. 91 of 2015 registered for the offence
punishable under Section 302/34 of the Indian Penal Code.

Allegedly, the petitioner and other four named
accused persons started assaulting Champa Devi, the grand mother
of the informant with sharp cutting weapon and killed her. The
motive behind the offence is alleged for measurement of disputed
land.

Submission is of false implication and that there is
no specific allegation against the petitioner which is only general
in nature. During investigation, Ramadhar Sah has stated that the

petitioner has given farsa blow on the deceased and besides that all the witnesses have made general and omnibus allegations. Further, it has come that the deceased was aged more than 80 years and as such the petitioner suffering in custody since 28.12.2015 deserves sympathetic consideration.

The learned A.P.P. duly assisted by learned counsel for the informant opposes the prayer of bail by submitting that during investigation it has come that the petitioner is the main assailant.

In the facts and circumstances stated above considering the statement of witness, Ramadhar Sah that the petitioner is assailant and, as such, I am not inclined to enlarge the petitioner on bail and accordingly his prayer stands rejected in connection with Purnahiya P.S. Case No. 91 of 2015 pending in the Court of learned Sub-divisional Judicial Magistrate, Sheohar.

However, considering the detention of the petitioner, let the trial be expedited and concluded preferably within 9 months after receipt or production of the copy of this order.

(Jitendra Mohan Sharma, J)

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