

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.299 of 2016

Arising Out of PS.Case No. -55 Year- 2015 Thana -NATIONAL HIGHWAY District-
SAMASTIPUR

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1. Dipak Kumar Son of Ram Chandra Singh Resident of Village : -
Muradpur Bangra, P.S. : - National Highway Bangra, District : -
Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dilip Kumar Roy

For the Opposite Party/s : Mr. P.K.Chaurasiya(App)

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

ORAL ORDER

4 16-03-2016 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 302 and 201/34 of the I.P.C

The allegation against the petitioner is that he with his

associates kidnapped Sujit Kumar, the younger brother of the

informant, on 02.08.2015 and this fact was informed by Sujit

Kumar through mobile to the informant and then the petitioner

snatched the mobile and directed the informant to keep mum and

since then the petitioner started calling the informant at different

places and lastly after killing Sujit Kumar his dead body was

hanged with mango tree.

Submission is of false implication and that besides suspicion there is nothing against the petitioner, the occurrence of kidnapping is of 02.08.2015, whereas, the FIR has been lodged on 06.08.2015 without any explanation, during investigation it has come that the deceased was having illicit relationship with the wife of the petitioner and due to that reason on suspicion the informant has named the petitioner, there is no legal and tangible material against the petitioner and co-accused Ramanand Singh has been allowed pre-arrest bail, whereas, other co-accused Jagdish Singh has been allowed regular bail and as such the petitioner also deserves sympathetic consideration, to which the learned A.P.P. duly assisted by the learned counsel for the informant opposes prayer for bail by submitting that in the First Information Report there is serious allegation against the petitioner, the informant was searching his brother and as the petitioner has directed to keep mum and as such the informant did not lodge the First Information Report earlier due to fear and further during investigation it finds support and as such the petitioner does not deserve bail.

In the facts and circumstances as stated above, considering the allegation attributed against the petitioner, serious

in nature, this Court is not inclined to enlarge the petitioner on bail and accordingly his such prayer stands rejected in connection with N.H. (Bangra) P.S. Case No. 55 of 2015 pending in the court of C.J.M. Samastipur.

However, considering detention of the petitioner let the trial be expedited. The learned trial Judge will make all sincere efforts to dispose of the case within six months.

(Jitendra Mohan Sharma, J)

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