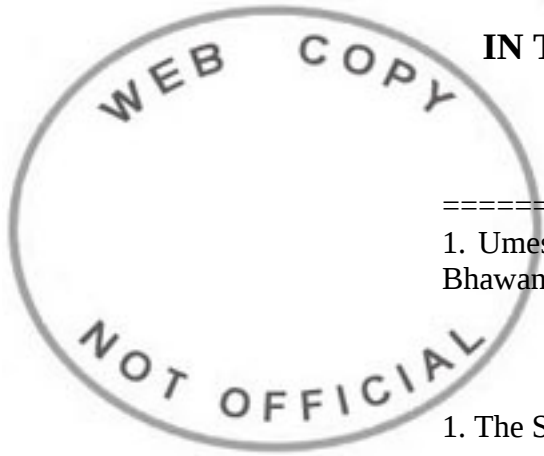




IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9836 of 2016

Arising Out of PS.Case No. -26 Year- 2015 Thana -KANGALI District-
WESTCHAMPARAN(BETTIAH)

=====

1. Umesh Sharma Son of Mohar Sharma, Resident of Village - Shugaha
Bhawanipur, Police Station - Kangali, District - West Champaran at Bettiah.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raghunandan Kumar Singh

For the Opposite Party/s : Mr. Bharat Bhushan (App)

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

5 21-06-2016 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 341, 323, 324, 147, 148, 149, 448, 307,
302 and 504 of the I.P.C

The petitioner is named in the First Information
Report along with others with the allegation that the accused
persons assaulted the informant Rajesh Sharma and Dhurandhar
Sharma and when Dhurendhar Sharma fell down on the ground
Ramashish Sharma and Rambali Sharma came to save but the

accused persons assaulted Dhruv Sharma, uncle of the informant came to save the informant then the petitioner and others put him down and pressed his neck and further Mostt. Manglawati Devi pulled his hydrosil resulting death of Dhruv Sharma.

Submission is of false implication and that four persons are alleged to have pressed the neck of the deceased which appears not believable, there is no specific allegation against the petitioner and other co-accused, namely, Dinesh Sharma, Bachcha Sharma and Subhas Sharma have been allowed bail by different co-ordinate Benches of this Court 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 against the petitioner and other co-accused there is specific allegation to have strangled Dhruv Sharma and prayer for bail of co-accused Shyam Sundar Sharma and Sanoj Sharma have already been rejected.

In the facts and circumstances as stated above, at present I am not inclined to enlarge the petitioner on bail and accordingly his such prayer stands rejected in connection with Kangali P.S. Case No. 26 of 2015 pending in the court of Sri J. Kumar, Judicial Magistrate, West Champaran, Bettiah.

However, the trial court is directed again to expedite

the trial and to conclude the same as per the order given in Cr. Misc. No. 4020 of 2016. However, the petitioner may be at liberty to renew his prayer for bail after remaining further nine months in custody.

(Jitendra Mohan Sharma, J)

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