

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.27245 of 2016**

Arising Out of PS.Case No. -97 Year- 2015 Thana -AWTARNAGAR District- SARAN

Sanjay Singh S/o Late Bankelal Singh resident of Village Rampur  
Pratappur, P.S. Awtarnagar, District - Chapra (Saran).

.... .... Petitioner

Versus

The State of Bihar.

.... .... Opposite Party

**Appearance :**

For the Petitioner : Mr. Binod Kumar Singh

For the Opposite Party : Mr. Uday Chand Prasad

**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA**  
**ORAL ORDER**

5      06-10-2016      Heard learned counsel for the petitioner as well as  
learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered for the  
offence punishable under Section 302/34 of the Indian Penal  
Code.

The petitioner appears to be the assailant and just  
after the alleged occurrence, the informant reached at the place of  
occurrence and, thereafter, she lodged the present case. Although,  
learned counsel appearing on behalf of the petitioner tried to  
convince me that the informant is not an eyewitness, and, when  
the statement of the father of the deceased was recorded, he made  
a different statement but I am not at all convinced with the  
aforesaid submission and, therefore, considering the aforesaid

facts and circumstances as well as submissions of the parties, the prayer for bail of the petitioner in connection with Awtar Nagar P.S. Case No. 97 of 2015, pending in the Court of learned Chief Judicial Magistrate, Saran at Chapra stands rejected.

However, the learned Chief Judicial Magistrate, Saran at Chapra is directed to commit the case of the petitioner to the Court of Sessions, in accordance with law, within a period of two weeks from the date of receipt/production of the copy of the order, if the same has not been committed, as yet and, after commitment, the concerned Sessions Court should expedite the trial of the petitioner.

**(Hemant Kumar Srivastava, J.)**

Amit/-

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