

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4020 of 2016

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

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1. Shyam Sundar Sharma
2. Sanoj Sharma Both are sons of Late Hiralal Sharma Resident of village -
Sugaha Bhawanipur, Police Station Kangali, District - West Champaran

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar No.-7

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

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

3 18-03-2016 Heard learned counsel for the petitioners, learned

counsel for the informant and learned A.P.P. representing the

State.

Petitioners seek bail in connection with Kangali P.S.

Case No. 26 of 2015 registered for the offences punishable under

Sections 341, 323, 324, 147, 148, 149, 448, 307, 302 and 504 of

the Indian Penal Code.

The petitioners are named in the First Information

Report along with 16 other accused persons. The accused persons

are alleged to have assaulted the informant-Rajesh Sharma and

Dhurandhar Sharma, 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 Umesh Sharma, the petitioners and Sanoj Sharma put him down and pressed his neck and further Mostt. Manglawati Devi pulled his hydrosil resulting Dhruv Sharma died.

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 petitioners, 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 petitioners suffering in custody since 24.09.2015 also deserve sympathetic consideration to which the learned A.P.P. duly assisted by the learned counsel for the informant opposes the prayer of bail by submitting that the petitioners and two other co-accused strangled Dhruv Sharma. The post-mortem report shows injury on the neck on account of which the deceased died.

In the facts and circumstances stated above, considering the allegation attributed against the petitioners serious in nature, this Court is not inclined to enlarge the petitioners on bail and accordingly, their such prayer stands rejected.

However, the trial court is directed to expedite the trial

and conclude the same preferably within nine months.

(Jitendra Mohan Sharma, J)

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