

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15073 of 2016

Arising Out of PS.Case No. -61 Year- 2015 Thana -MATIHANI District- BEGUSARAI

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Ganga Singh Son of Late Hari Narayan Singh resident of Village- Sonapur
Barat, Police Station- Nayagaon, District- Begusarai.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar

For the Opposite Party/s : Mr. Arun Kumar Singh 5 (App)

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

3 19-05-2016 Heard the learned counsel for the petitioner and the

learned A.P.P representing the State.

The petitioner seeks bail in connection with
Matihani P.S. Case No. 61 of 2015 registered for the offence
punishable under Sections 302 and 120B/34 of the Indian Penal
Code.

Allegedly, due to not compromising the case, co-
accused Daulat Kunwar opened fire upon Krishna Murari Kunwar,
brother of the informant and when the mother of the informant
came for rescue, then the petitioner and co-accused Rajesh
Chaudhary opened fire upon her causing injury to her resulting the
mother and brother both fell down and the mother of the informant
namely Kiran Devi succumbed to injury. Thereafter, the brother

was brought for treatment where he also died.

Submission is of false implication and that there is material contradiction in the statement of the informant and other witnesses, the prosecution story appears improbable and unreliable, there is no legal and tangible material against the petitioner, and further there is no specific allegation against him, and without any fault due to previous enmity, the petitioner is suffering in custody since 26.11.2015.

The learned APP opposes the prayer of bail by submitting that the petitioner is one of the assailant of Kiran Devi, the mother of the informant and two wound of entry were found.

In the facts and circumstances stated above, considering that the petitioner is one of the assailant, as such, I am not inclined to enlarge the petitioner on bail and accordingly his prayer stands rejected in connection with Matihani P.S. Case No. 61 of 2015 pending in the Court of learned Judicial Magistrate, 1st Class, Begusarai.

However, let the trial be expedited and concluded preferably within nine months from the date of receipt or production of a copy of this order.

(Jitendra Mohan Sharma, J)

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