

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12203 of 2016

Arising Out of PS.Case No. -68 Year- 2015 Thana -NARAINPUR District- BHOJPUR

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1. Deo Kumar Kahar, Son of Late Jagdish Kahar resident of Village:
Situhari, P.S: Narayanpur, District: Bhojpur (Ara).

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravindra Kumar

For the Opposite Party/s : Mr. Ajit Kumar(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA
ORAL ORDER

3 03-05-2016 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with Narayanpur P.S. Case No. 68 of 2015 registered for the offence punishable under Section 302/34 of the Indian Penal Code and Section 27 of the Arms Act.

Allegedly, the petitioner took away Munna Rai and thereafter the informant and Manish Rai went for attending the call of nature and as soon as reached near the temple of Lord Shankar heard the sound of two firing. The petitioner along with two unknown after coming out from the hut started fleeing away and on inquiry also the petitioner did not disclose anything and fled away and in the hut the dead body of Munna Rai was found.

Submission is of false implication and that only on suspicion the petitioner has been implicated, the petitioner was not armed with any weapon, no witness has stated in this regard and without any legal and tangible material the petitioner is suffering in custody since 11.01.2015, the informant now has filed petition showing innocence of the petitioner in the Court below and as such the petitioner deserves sympathetic consideration to which the learned A.P.P. opposes by submitting that after completing investigation charge sheet has already been submitted against the petitioner.

In the facts and circumstances stated above, at present I am not inclined to enlarge the petitioner on bail and accordingly his such prayer stands rejected. However, let the trial be expedited and concluded as early as possible preferably within 9 months and the petitioner may renew his prayer of bail after examination of the informant during trial.

(Jitendra Mohan Sharma, J)

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