

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34718 of 2016

Arising Out of PS.Case No. -129 Year- 2014 Thana -BARSOI District- KATIHAR

Kalu Singh S/o Late Boma Singh, R/o Village Siapara, P.S Balrampur
District- Katihar.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sharda Nand Mishra

For the Opposite Party/s : Mr. Sri Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

4 11-11-2016 Heard Mr. Sharda Nand Mishra for the petitioner and Mr.
Sadanand Prasad, APP for the State.

This is repeat application seeking bail in Barsoi P.S. Case
No. 129 of 2014 registered under Sections 302 of Indian Penal
Code and 3(ii)(v) of SC/ST Act.

On going through the First Information Report, it appears
that the petitioner has been made accused on the dying declaration
made by the victim. According to the informant, who is daughter
of the victim, when she approached her mother at the hospital, she
whispered that the petitioner had thrown acid on her, which
caused serious burn injury of which the victim ultimately died.

Learned Sessions Judge in the impugned order has recorded
that the trial has been taken up and three witnesses have been

examined thereat. It is stated that the petitioner is in custody since 03.09.2014. The report was called for from the learned trial court which has been received and placed at flag “B”. On perusal whereof, it appears the trial court has opined that the trial is likely to be concluded within 2/3 months.

Considering the above, this court is not inclined to extend him the privilege of bail. The prayer is rejected.

However, the petitioner is granted liberty to apply for bail in the court below itself, if the trial does not record adequate/sufficient progress within three (03) months from the date of receipt/production of the copy of the order.

(Kishore Kumar Mandal, J)

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