

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32086 of 2015

Arising Out of PS.Case No. -37 Year- 2008 Thana -RAIL District- LAKHISARAI

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Munna Murmu @ Munna Murmur @ Anant Lal @ Anant @ Mahashay,
Son of Sunil @ Dhuma Murmu @ Resident of Village - Baseria, Police
Station- Lakai Nayanpur, District -Giridih (Jharkhand).

.... Petitioner

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rabi Bhushan, Advocate

For the State : Mr. J. N. Thakur, APP

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

6 08-02-2017 Heard learned counsel for the petitioner and Mr. J.
N. Thakur learned counsel for the State.

The petitioner has renewed the prayer for bail in connection with Jamalpur Rail P.S. Case No.37/2008 registered for the offences punishable under sections 396, 397 of the Indian Penal Code and section 17 of the Criminal Law Amendment Act, pending before the learned 2nd Additional District Judge, Lakhisarai.

Prosecution case is that the miscreants put the chilly powder in the eye of the escort party in the running train and when resistance was made, the firing was resorted when one constable Ganesh Singh died. The name of the petitioner subsequently sprang up during investigation when the petitioner confessed his guilt also.



It is submitted by learned counsel for the petitioner that the petitioner is languishing in custody since 12.08.2012. Moreover, the name of the petitioner sprang up on the basis of confession before the police when other co-accused Rigan Manjhi has been granted bail by a co-ordinate Bench of this Court vide Criminal Miscellaneous No.34267/2009.

Mr. J. N. Thakur, learned counsel for the State submits that the petitioner is accused in seven other cases of serious nature and the report of the Superintendent of Police, Lakhisarai, dated 3rd of February, 2017, transmitted to this Court vide letter no.48, reflects that the prosecution evidence has been closed on 02.02.2017.

Let the said report be kept on record.

Considering the present stage of the trial, this court is not inclined to release the petitioner on bail. Accordingly, the application for bail on behalf of the petitioner is rejected.

However, it is expected from the trial Court to conclude the trial of Sessions Trial No.237/2010 arising out of Jamalpur Rail P.S. Case No.37/2008 expeditiously, preferably within a period of four months.

(Dinesh Kumar Singh, J)

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