

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5777 of 2017

Arising Out of PS.Case No. -467 Year- 2015 Thana -MANER District- PATNA

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1. Lawkush Kumar S/o Sri Santosh Singh @ Santosh Kumar Resident of Village- Chhitnawa, P.S.Maner, District- Patna, at Present- Navahi, P.S.- Naubatpur, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prabhakar Singh
For the Opposite Party/s : Mr. Sri Jitendra Kumar Singh
For the informant : Mr. M.K. Gautam

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 15-02-2017 The petitioner is in custody since 29.09.2016 in connection with Maner P.S. Case No. 467 of 2015, registered for offences punishable under Sections 302, 120B/34 of the Indian Penal Code.

It has been submitted on behalf of the petitioner that he has been falsely implicated in the present case. As a matter of fact he used to look after the deceased, who is the grand father of the petitioner and when the deceased fell down into a ditch, the petitioner went to inform the informant about the said occurrence and for that he has been falsely been made accused in this case and has been in judicial custody since. 20.09.2016.

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



Having heard both sides, in view of the fact that there is direct allegation against the petitioner for killing the deceased in connivance with others and also the prayer of bail of other co-accused of this case having similar allegation, has already been rejected by this Court vide order dated 09-11-2016 passed in Criminal Miscellaneous No. 40095 of 2016, I am not inclined to grant the petitioner, the privilege of regular bail, it is accordingly rejected.

However, learned trial court is directed to expedite the trial and try to conclude it within a period of nine months from today and if the trial is not concluded within the aforesaid period, the petitioner will be at liberty to renew his prayer for bail in the court below itself, which will be considered by the court below on the merit of the case, without being prejudiced by the order of this Court.

With the above observation, this application is dismissed.

(Vinod Kumar Sinha, J)

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