

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.5490 of 2017

Arising Out of PS.Case No. -202 Year- 2015 Thana -NAUBATPUR District- PATNA

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Umesh Prasad, Son of Late Motilal Yadav, Resident of Village- Panhara,
P.S.- Naubatpur, District- Patna. Petitioner

Versus

The State of Bihar. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ramakant Sharma, Sr. Advocate
Mr. Lakshmi Kant Sharma

For the Opposite Party/s : Mr. Sri Asharaf Ansari

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

ORAL ORDER

3 15-03-2017 Heard learned Sr. Counsel for the petitioner and learned
counsel representing the State.

The petitioner wants to renew his prayer of bail, which was earlier rejected vide order dated 20.06.2016 passed in Cr. Misc. No. 17261 of 2016, on the ground that the petitioner is suffering in custody since 06.07.2015, on the basis of Sanha the Police came at the place of occurrence and prepared the inquest report and at that time the informant was not there, so it makes the entire prosecution story unbelievable, further the witnesses Pramod Kumar and Parmanand Prasad in paragraph 53 and 54 of the case diary have stated that they have not seen as to who have killed the deceased, further Pramod Kumar stated that he had gone on the motorcycle of the deceased but he got down at Naubatpur Lakh and the deceased went towards block office, so the presence of the



informant appears doubtful.

Learned APP opposes the prayer of bail by submitting that the informant is herself an eye witness.

In the facts and circumstances stated above, at present, finding no good ground for reconsideration of prayer for bail of the petitioner, again his prayer for bail stands rejected.

However, learned trial court is again directed to expedite the trial and conclude the same as early as possible, preferably within six months from the date of receipt/production of a copy of this order, failing which the petitioner, if at no fault, may be at liberty to renew his prayer of bail.

(Jitendra Mohan Sharma, J)

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