

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22406 of 2017

Arising Out of PS.Case No. -189 Year- 2014 Thana -MAIRWA District- SIWAN

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1. Ram Chandra Ram, Son of Late Guljar Ram
2. Nandlal Ram @ Nanda Ram, Son of Ram Chandra Ram, Both Resident
of Village- Kabirpur, Rupan Hatta, Police Station- Mairwa, District- Siwan.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Raghav Prasad

For the Opposite Party/s : Mr. Anil Kumar Singh 1

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 07-07-2017

Heard learned counsel for the petitioners.

This is an application for bail in connection with
Mairwa P.S.Case No. 189 of 2014 registered for the offences
punishable under Sections 302 and 201/34 of the Indian Penal
Code.

Petitioners are named in the FIR and allegation is that
they have assaulted causing death of the deceased.

It has been submitted on behalf of the petitioners that
case diary clearly shows that allegation of causing death due to
partition is false as property has already been partitioned. It has
also been submitted that some of the witnesses have stated that
death was caused and informant has participated in cremation and,
as such, the false and concocted case has been lodged.



Heard learned APP and learned counsel for the informant also. Learned counsel for informant has opposed the prayer for bail stating that petitioners were absconding in this case for a long period time and when informant approached the higher authority they have been arrested on the basis of statement of 10 years boy recorded under Section 164 Cr.P.C., as such, they do not deserve bail.

Having heard both sides and considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioners at this stage.

However, learned trial court is directed to expedite the trial and try to conclude the same within a period of seven months. If trial is not concluded within the said period, petitioners may renew their prayer for bail.

With the above observation, this application is dismissed.

(Vinod Kumar Sinha, J)

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