

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15589 of 2017

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1. Abdullah Son of Sahabuddin, Resident of Village- Kharra, P.S. and District- Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Murari Narain Choudhary
Mr. Vijay Kumar

For the Opposite Party/s : Mr. Sri Narendra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 17-04-2017 The petitioner is in custody since 04.02.2017 in connection with Madhubani Town P.S. Case No. 349 of 2014, registered for offences punishable under Sections 147, 149, 323, 337, 338, 341, 427, 504 and 307 Indian Penal Code.

It has been submitted on behalf of the petitioner that though the case is under Section 302 Indian Penal Code, however, no specific allegation of overt act has been levelled against the petitioner rather the same has been levelled against co-accused of this case. Petitioner has been in judicial custody since 04.02.2017.

Heard learned A.P.P. also.

Having heard both sides, earlier in this case status report was called for, which has been received and from perusal of the said report, it appears that trial of other accused has now



proceeded and three witnesses have been examined and the trial of the petitioner could not be commenced as the petitioner has not surrendered.

Considering the aforesaid aspect of the matter, at present, 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 commitment proceedings of this petitioner and after commitment charges be framed expeditiously so that trial be expedited. Learned Trial Court shall also consider the amalgamation of trial of this petitioner with the trial of other accused persons and after amalgamation of the trial, petitioner may renew his prayer for bail.

With the above observation, this application is dismissed at this stage.

(Vinod Kumar Sinha, J)

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