

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5775 of 2017

Arising Out of PS.Case No. -192 Year- 2015 Thana -BIBHUTIPUR District- SAMASTIPUR

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1. Ram Kumar, S/o Jagdish Mahto, Resident of Village-- Khadiyahi, P.S.-
Bibhutipur, District- Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Suneil Kumar Thakur, Advocate

For the Opposite Party/s : Mr. Shailendra Kumar -2 (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 22-03-2017 Heard learned counsel for the petitioner and the
learned counsel representing the State.

The petitioner wants to renew the prayer of bail which was earlier twice rejected by order dated 16.03.2016 and 13.07.2016 passed in Cri. Misc. No. 7036 of 2016 and Cr. Misc. No. 27974 of 2016 respectively, on the ground that the petitioner is suffering in custody since 21.09.2015, there is no other eye-witness to the occurrence besides the informant, during investigation different story has emerged. Co-accused Ramanand Kumar , Bikram Kumar and Ram Kishun Mahto have already been allowed bail and, as such, the petitioner also deserves sympathetic consideration.

The learned A.P.P. opposes the prayer of bail by



submitting that against the petitioner and co-accused Sanjay Kumar there is specific allegation for causing severe injury near the neck and on the cheek resulting the deceased became unconscious and fell down and the postmortem report also supports the prosecution version.

In the facts and circumstances stated above, finding no good ground for reconsideration of prayer of the bail, again prayer of the bail of the petitioner stands rejected in connection with Sessions Trial No. 691 of 2015, arising out of Bibhutipur P.S. Case No. 192 of 2015 pending in the Court of learned Additional District and Sessions Judge, Rosera, District Samastipur.

However, considering the period of detention of the petitioner, let the trial be expedited and concluded as early as possible preferably within four 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 for bail.

(Jitendra Mohan Sharma, J.)

Rajiv/-

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