

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12763 of 2017

Arising Out of PS.Case No. -11 Year- 2016 Thana -ARIYARI District- SEKHPURA

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1. Ramesh Yadav, son of Late Sukhdeo Yadav, Resident of Village-
Hussaianabad, Police Station- Ariyari, District- Sheikhpura.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bipin Kumar

For the Opposite Party/s : Mr. Sri Mustaque Alam

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

2 13-04-2017 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with Ariyari
P.S. Case No. 11 of 2016 registered for the offence punishable
under Section 302/44 of the Indian Penal Code.

Allegedly, due to petty dispute, the petitioner and other
F.I.R. named accused persons, being armed with *Lathi* and *Danda*
came and started abusing and when the informant protested, all the
accused persons started assaulting her with *Lathi* and when her
husband, Ishwar Yadav came for her rescue then he was also
assaulted brutally and killed by the petitioner and others. When
Pintu Yadav and Dharmendra came for rescue they were also
assaulted and injured by them.



Submission is of false implication and that against the petitioner there is no specific allegation. The petitioner is in custody since 09.01.2017. Chargesheet has already been submitted and there is no chance of tampering with prosecution evidence and, as such, the petitioner deserves sympathetic consideration.

The learned APP opposes the prayer of bail by submitting that petitioner and three others assaulted brutally the husband of the informant, causing his death.

In the facts and circumstances stated above, considering the allegation attributed against the petitioner, at present I am not inclined to enlarge the petitioner on bail and accordingly, his such prayer stands rejected in connection with Ariyari P.S. Case No. 11 of 2016 pending in the Court of learned S.D.J.M., Sheikhpura.

However, considering the detention of the petitioner, let the trial be expedited and concluded within a period of nine months.

(Jitendra Mohan Sharma, J)

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