

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15276 of 2017

Arising Out of PS.Case No. -120 Year- 2016 Thana -AMDABAD District- KATIHAR

- =====
1. Jehta Hembram S/o- Late Sidhu Hembram
 2. Lachhu Hembram S/o- Late Sidhu Hembram
 3. Rajesh Hembram S/o- Biranga Hembram, All are Resident of Village-
Radhe Madhe, P.S.- Amdabad, District- Katihar.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Singh

For the Opposite Party/s : Mr. Rajkishore Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 25-04-2017 Heard the parties.

This application is for grant of regular bail in connection with Amdabad P.S.Case No.120 of 2016 for the offences under Sections 302, 201, 120 (B)/34 of the Indian Penal Code.

Allegation against the petitioners is about killing the deceased with an Axe.

It is submitted on behalf of the petitioners that the deceased had illicit relation with villagers, due to which, they have been falsely implicated in this case. They are in custody for about seven months.

Heard learned A.P.P. also, who has opposed the prayer for bail, stating that the statement of Polino Soren @ Polina Soren has



been recorded under Section 164 Cr.P.C., who claims to be eye-witness of the occurrence and stated that the petitioners have assaulted with an Axe and killed the deceased.

Having heard both sides and considering the statement of the witness under Section 164 Cr.P.C., I am not inclined to grant bail to the petitioner at this stage, however, as the petitioners are in custody, the learned trial court is directed to expedite the trial and try to conclude it within a period of nine months.

The S.P., Katihar is also directed to ensure attendance of the witness on the date fixed so that the trial may be concluded within the period as stipulated.

With the aforesaid observation, this application is dismissed.

(Vinod Kumar Sinha, J)

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