

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.14828 of 2017

Arising Out of PS.Case No. -12 Year- 2017 Thana -BARUN District- AURANGABAD

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1. Mithilesh Singh @ Pappu Singh @ Mithalesh Singh, S/o Sri Raj Bansh Singh, resident of Village- Dayalpur, P.S.- Barun, District- Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar

For the Opposite Party/s : Mrs. Smt. Anusuiya Jaiswal

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA**

ORAL ORDER

3 20-06-2017

Heard both sides.

The petitioner seeks bail in Barun P.S. case No. 12 of 2017 under Section 302 of the Indian Penal Code.

The informant alleged that on rumour he went to the field and saw the dead body of his wife. The informant further alleged that some children disclosed that Pappu Singh, having sickle in his hand, was fleeing away towards village from the place of occurrence.

Sri Krishna Prasad Singh, the learned senior counsel for the petitioner, submits that there is no eye witness of the occurrence. The informant did not disclose the name of children who saw the petitioner fleeing away from the place of occurrence, having sickle in his hand. It is further submitted that from paragraph 10 of the case diary, it would appear that son of the



informant also made same statement but he did not disclose the name of the children who saw the occurrence. In paragraphs 12 and 13 the police took the statement of Anuj Prajapati and Rahul Kumar who saw the petitioner having verbal altercation with the deceased.

It appears that the dead body was found lying in the field of petitioner. The witnesses in paragraphs 12 and 13 of the case diary also disclosed that there was some altercation between the deceased and the petitioner and immediately thereafter dead body of deceased was found in the field of the petitioner.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner on bail, at this stage. Accordingly, the same is rejected.

If the case is committed to the Court of Sessions, the learned trial court is directed to conclude the trial within nine months from the date of receipt of this order.

If the trial is not concluded within the aforesaid period, the petitioner may renew his prayer for bail.

(Prabhat Kumar Jha, J)

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