

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33066 of 2017

Arising Out of PS.Case No. -259 Year- 2015 Thana -PHULPARAS District- MADHUBANI

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Amit Kumar Sah @ Amit Sah, son of Late Rohit Prasad Sah, Resident of
Village- Nirmali, P.S.- Nirmali, District- Supaul.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Manish Kumar No 13

For the Opposite Party/s : Mr. Ajit Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

5 22-08-2017 Heard learned counsel for the petitioner.

This is an application for bail in connection with
Sessions Trial No. 159 of 2017, arising out of Phulparas P.S.Case
No. 259 of 2015 registered for the offences punishable under
Sections 302, 120B, 201 and 379 of the Indian Penal Code.

Petitioner is not named in the FIR and later on his
name transpires on the basis of the fact that he has taken the
deceased with him and thereafter dead body was found.

It has been submitted on behalf of the petitioner that
the informant is not an eye-witness to the occurrence and there
was dispute between the parties with respect to payment of money
and it is alleged in the FIR that money of different persons,
including the petitioner was due with the deceased and the other



co-accused, whose money was due with the deceased, have already been granted anticipatory/regular bail by this Court in different orders and he is in custody for seven months.

Heard learned APP also, who has opposed the prayer for bail on the ground that petitioner has taken the deceased with him and thereafter dead body was recovered and there are several injuries on the person of deceased and money of the petitioner was also due with the deceased.

Having heard both sides and considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioner.

However, as the case has already been committed to the court of sessions, learned trial court is directed to expedite the trial of the petitioner and try to conclude it within seven months. If trial is not concluded within the said period, petitioner may renew his prayer for bail.

(Vinod Kumar Sinha, J)

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