

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38615 of 2017

Arising Out of PS.Case No. -185 Year- 2016 Thana -BAKHTIYARPUR District- PATNA

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Suraj Kumar @ Suraj Kant, son of Kamakhya Singh, resident of Village-
P.S. Taraiya District Chhapra

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar Pandey

For the Opposite Party/s : Mr. Shailendra Kumar -1

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

5 09-10-2017 Heard learned counsel for the petitioner.

This is an application for bail in connection with Sessions
Trial No. 245 of 2017, arising out of Bakhtiyarpur P.S.Case No.
185 of 2016 registered for the offences punishable under Sections
302 and 120B/34 of the Indian Penal Code.

Allegation against the petitioner is of committing murder
of deceased.

Submission of learned counsel for the petitioner is that he
has falsely been implicated in this case and the petitioner has taken
the deceased to hospital and lodged case but later on he has been
made accused in this case and he is in custody for more than one
year.

Heard learned APP also, who has opposed the prayer for



bail stating that petitioner was present at the time of occurrence and one fire arm was recovered from the vehicle in which petitioner was sitting.

Having heard both sides and from perusal of the report it appears that charge has been framed in this case but no witness has been examined and if parties will co-operate the trial will be concluded within a period of eight months, in such view of the matter, I am not inclined to grant bail to the petitioner.

However, learned trial court is directed to expedite the trial by conducting it on regular basis as petitioner is in custody for a year and try to conclude it within a period of seven months from the receipt of this order. At the same time, SSP, Patna is directed to ensure the presence of the witnesses in court on the date fixed so that the trial be concluded within the specified time.

With the above observation, this application is dismissed.

(Vinod Kumar Sinha, J)

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