

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32756 of 2017

Arising Out of PS.Case No. -20 Year- 2015 Thana -BARHAT District- JAMUI

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1. Parmeshwar Rai, son of Nago Rai, resident of Village- Barhat, P.S.-
Barhat, District- Jamui.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bharat Lal

For the Opposite Party/s : Mr. Aditya Narayan Singh 1

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 22-08-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since
21.04.2015 in connection with S.T. No. 216/15, arising out of
Barhat P.S. Case No. 20/2015 for offences punishable under
Section 341, 307 of the Indian Penal Code, but later on Section
302 of the Indian Penal Code has been added.

The prosecution case, as lodged by the informant, is
that he got information that his daughter Indra Devi has been
assaulted by means of axe by her dewar (petitioner). She was
taken to the hospital where during course of treatment she
succumbed to the injuries.



It has been submitted by the learned counsel for the petitioner that he is innocent, has been falsely implicated in the aforesaid case, there is no eye-witness to the alleged occurrence, charge has been framed and he is languishing in custody for more than two years, hence, a sympathetic consideration may be given.

However, learned APP for the State opposes the prayer for bail stating therein that the husband of the deceased and other prosecution witnesses have supported the prosecution case and that the blow was inflicted by the petitioner on his own bhabhi for some property dispute.

Considering the facts and circumstances and the materials on record, I am not inclined to grant privilege of bail to the petitioner at this stage in connection with S.T. No. 216/15, arising out of Barhat P.S. Case No. 20/2015, pending in the court of learned Addl. Sessions Judge-II, Jamui.

Application is, accordingly, rejected. However, the learned court below is directed to conclude the trial expeditiously preferably within a period of one year. The petitioner may renew his prayer for bail after one year if trial is not concluded by that time.

(Nilu Agrawal, J)

Rajesh/-

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