

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40204 of 2017

Arising Out of PS.Case No. -18 Year- 2010 Thana -BELA District- SITAMARHI

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Amiri Ram, son of Sonafi Ram, resident of Village- Sirsiya, P.S.- Bela,
District- Sitamarhi.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok

For the Opposite Party/s : Mr. Surendra Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 24-08-2017 Heard learned counsel for the petitioner.

This is an application for bail in connection with Sessions
Trial No. 324 of 2017, arising out of Bela P.S. Case No. 18 of
2010 registered for the offences punishable under Sections 302/34
of the Indian Penal Code.

From perusal of the record it appears that petitioner was
granted anticipatory bail in Cr.Misc.No. 12815 of 2013, vide order
dated 22.3.2013 (Annexure-2) with a direction to surrender within
12 weeks and in spite of that he has not surrendered within time,
rather he has surrendered on 6.6.2017 after more than four years.

Submission of learned counsel for the petitioner is that
the delay is not intentional on his part, rather wife of the petitioner
was seriously ill and, as such, he could not surrender within the



time prescribed and it has been submitted that now charge has been framed in this case and he is in custody for two months.

Heard learned APP also.

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

However, as charge has been framed in this case, learned trial court is directed to expedite the trial and if trial is not concluded within a period of four months, petitioner will be released on bail by the trial court to its own satisfaction.

With the above observation, this application is disposed of.

(Vinod Kumar Sinha, J)

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