

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49431 of 2016

Arising Out of PS.Case No. -18 Year- 2015 Thana -SONBERSA District- SITAMARHI

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Indal Kumar @ Indal Mahto son of Late Chandeshwar Mahto resident of
village- Sonbarsa, P.S. Sonbarsa, District-Sitamarhi

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok, Advocate

For the Opposite Party/s : Mr. Sunil Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 03-04-2017

Heard learned counsel for the petitioner.

This is an application for bail in connection with Sonbarsa P.S.Case No. 18 of 2015 registered for the offences punishable under Sections 302, 120B/34 of the Indian Penal Code and 27 of the Arms Act.

It has been submitted on behalf of the petitioner that petitioner is not named in the FIR but later on his name transpires during the course of investigation in the case diary that petitioner along with others shot fire at the deceased and other accused persons have been granted bail. So far criminal antecedent is concerned, it has been submitted that there are five cases also against the petitioner and he has been remanded in this case and in other case he is on bail. It has further been submitted that the case



has been committed to the court of sessions but there is no further progress in the case.

Heard learned APP also, who has opposed the prayer for bail stating that petitioner has been named by the witnesses during investigation.

Having heard both sides and considering the aforesaid facts, I am not inclined to grant bail to the petitioner. Prayer for bail is rejected.

However, as the case has been committed to the court of sessions, learned trial court is directed to expedite the trial and try to conclude the same within a period of nine months. If the trial is not concluded within the said period, petitioner may renew his prayer for bail before the court below itself, who will consider the same keeping in view the fact that other co-accused persons have been granted bail as well as the materials available on record.

This application is, accordingly, dismissed.

(Vinod Kumar Sinha, J)

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