

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43040 of 2016

Arising Out of PS.Case No. -151 Year- 2011 Thana -BARAUNI District- BEGUSARAI

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1. Langra @ Langra Bind @ Wakil Mahto Son of Narayan Mahto. Resident
of Village:- Ganga Prasad, Bind Toli, P.S.:- Barauni, District- Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Hare Krishna Prasad

For the Opposite Party/s : Mr. Sri Ashok Kumar Singh 1

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 18-01-2017 Heard learned counsel for the petitioner as well as
learned Addl. Public Prosecutor.

The application is for grant of bail in connection
with Barauni PS case no. 151 of 2011 for the offence under
Section 302 of the Indian Penal Code.

It is submitted on behalf of petitioner that there is
no specific allegation against this petitioner and four accused
persons including the petitioner assaulted the deceased. It is
further submitted that other accused persons have already been
granted bail by a coordinate Bench of this court. It is further
submitted that petitioner is in custody since 30.08.2016. As a
matter of fact, prayer for anticipatory bail of petitioner was
rejected but he did not surrender before the court below within



prescribed time limit but now, he himself is ready to abide by any condition imposed on him.

Heard learned A.P.P. also. Learned A.P.P. has opposed the prayer for bail.

Having heard both sides. Though the allegation of assault is against four other accused including this petitioner but other co-accused have already been granted bail. But from perusal of record, it appears that due to his non-appearance, his case is separated and trial is pending against him. As such, his prayer for bail is rejected at this stage. However, lower court is directed to expedite the trial of this petitioner and if both original and supplementary cases are at same stage, trial court may take steps for amalgamation of both cases. Thereafter, petitioner may renew his prayer for bail before the learned court below after a period of six months.

With these observations, this bail application is dismissed.

(Vinod Kumar Sinha, J.)

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