

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54793 of 2016

Arising Out of PS. Case No.-249 Year-2012 Thana- MOHANIA District- Bhabhua (Kaimur)

Hareram Mallah @ Hareram Choudhary Son of Ramlal Mallah
Resident of Village-Bagaicha, Police Station-Sonhan, District-Kaimur
(Bhabua)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Pathak

For the Opposite Party/s : Mr. SRI SANJAY KUMAR TIWARY 1

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

3 11-10-2017 Heard learned counsel for the parties.

The petitioner has renewed his prayer for bail in a case registered for the offences punishable under Sections 144 and 364A of the IPC.

The prosecution case is that the husband of the informant was kidnapped and thereafter Rupees Twenty Lacs was demanded as ransom. Subsequently, the dead body of the husband of the informant with injuries was recovered. Though the FIR was lodged against unknow but during investigation the dead body of the husband of the



informant and weapon through which the injury was caused were recovered. The name of the petitioner sprang up on confession of co-accused Dharmendra Kushwaha. The mobile through which the demand for ransom was made, was also recovered from the petitioner.

Earlier the prayer for bail was rejected thrice.

It is submitted by learned counsel for the petitioner that the petitioner is in custody since 6.8.2012 and except one other case, the petitioner is not accused in any other case.

This Court, vide order dated 10.5.2017, called for a report with regard to the stage of trial from the learned trial court. The report of the learned trial court dated 22.5.2017 reflects that the defence witness was closed on 16.1.2016 and thereafter, the matter was posted for argument but thereafter on the application filed by the defence for recall of the I.O. the defence evidence has been re-opened. However, the report further suggests the other reasons for delay in trial are that the petitioner escaped from the custody from Sadar Hospital, Bhabhua, thereafter he was arrested and produced in court and frequent transfer of the trial from one court to another, particularly, on the



application of the defence. However, the report lastly suggests that the trial court is likely to be concluded within three months.

Considering the nature of accusation and the stage of the trial, this Court is not inclined to grant bail to the petitioner. This application is, accordingly, dismissed.

(Dinesh Kumar Singh, J)

anil/-

U			
---	--	--	--

