

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11487 of 2017

Arising Out of PS.Case No. -184 Year- 2014 Thana -KALYANPUR District- SAMASTIPUR

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1. Shyam Lal Rai Son of Late Ram Prasad Rai, Resident of Bhagirthpur
Jute Mill Bandh Kinare, P.S.-Kalyanpur, Distt.-Samastipur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Deepak Kumar

For the Opposite Party/s : Mr. Sri Brajendra Nath Pandey

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 04-04-2017 Heard the parties.

This application has been filed in connection with
Kalyanpur P.S.Case No.184 of 2014 for the offence under
Sections 302, 34 and 120(B) of the Indian Penal Code.

It is submitted on behalf of the petitioner that though he is
named in the F.I.R. but no specific allegation of assault has been
levelled against the petitioner and other co-accused persons have
been granted bail by this Court. The petitioner is in custody for
about six months. It is also submitted that during the course of
investigation, one of the witnesses has been examined in Para 7 of
the case diary, wherein it has been stated about firing only by
other persons and not by the petitioner.

Heard learned A.P.P. also, who has opposed the prayer for



bail.

Having heard both sides and from perusal of the F.I.R., it appears that there is allegation of firing against this petitioner coupled with the fact that the petitioner has criminal antecedent and he is accused in six other cases also.

Considering this aspect of the matter, I am not inclined to grant bail to the petitioner, as such prayer for bail of the petitioner is rejected, however, the learned trial court is directed to expedite the trial of the petitioner and try to conclude it within a period of ten months, and if not concluded, the petitioner is at liberty to renew his prayer for bail.

With the aforesaid observation, this application is dismissed.

(Vinod Kumar Sinha, J)

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