

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7671 of 2017

Arising Out of PS.Case No. -30 Year- 2014 Thana -RAGHOPUR District- VAISHALI(HAJIPUR)

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MUNSHI LAL PRASAD @ MUNSHI LAL SINGH @ MUNSHI PRASAD SINGH, Son of Tribeni Prasad, Resident of Village- Moshimpur Kelwariya, P.S. Khusrupur, District Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rekha Prasad, Advocate
For the Opposite Party/s : Mr. Gopesh Kumar, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 29-03-2017 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

Petitioner is languishing in judicial custody since 19.06.2014 in connection with Raghopur (Rupaspur) P.S. Case No. 30/2014 registered for the offence punishable under Sections 302, 201, 120-B of the Indian Penal Code.

The prosecution case is that on 23.03.2014 son of the informant went to the sasural of son of his sarhu after closing his shop, from where on 26.03.2014 at 6.30 P.M. petitioner took him to another place. When petitioner returned to home, his daughter asked about the son of the informant but the petitioner feigned ignorance and co-accused Lalu Prasad told that son of the informant went where he had to go. The informant suspected that



petitioner along with others killed the son of the informant.

It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal history and has falsely been implicated in the aforesaid case only on the basis of suspicion. It is further submitted that the petitioner has been made accused due to land dispute with the informant's brother and that there is no eye-witness to the alleged occurrence.

A report was called for from the court below regarding the stage of trial, which was received from the District and Sessions Judge, Vaishali at Hajipur dated 16.03.2017 that in spite of repeated reminders and issuance of non-bailable warrant the prosecution has not been able to produce the five out of seven witnesses. It has also been stated therein that the trial is likely to be completed within six months.

Hence, prayer for bail is rejected with liberty to the petitioner to renew his prayer for bail after six months from today.

With the observation aforesaid, this petition is disposed of.

(Nilu Agrawal, J)

Rajesh/-

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