

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23586 of 2017

Arising Out of PS.Case No. -153 Year- 2016 Thana -KASIMBAZAR District- MUNGER

=====

1. Dharma Yadav @ Dharamdeo Yadav @ Dharam Raj Yadav son of Late
Brahmdeo Yadav resident of Dalhatta Bazar, P.S. - Kotwali, District -
Munger.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Karuna Nath Sahay

For the Opposite Party/s : Mr. Sri Kanhaiya Kishore

=====

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 18-05-2017 The petitioner seeks regular bail in connection with

Kasim Bazar P.S. Case No. 153 of 2016, registered for offences

punishable under Sections 302/34 and 120B of Indian Penal Code

and Section 27 of the Arms Act.

Allegation against the petitioner and other accused
persons is of firing on the son of the informant due to which he
died.

It has been submitted on behalf of the petitioner that no
specific allegation has been attributed against the petitioner of
firing and only general and omnibus allegation has been levelled.
Further as per F.I.R itself it appears, that there were fifteen
persons involved in the said offence, therefore, it cannot be said,
who fired on the deceased. Petitioner has been in judicial custody



since 15.11.2016.

Heard learned A.P.P. as well as learned counsel for the informant. They have opposed the prayer for bail and submitted that altogether fifteen injuries were found on the person of the deceased and this is a case of brutal murder, as such, petitioner does not deserve to be enlarged on bail.

Having heard both sides, in view of the fact that there is direct allegation against the petitioner that he along with others killed the deceased, I am not inclined to release him on bail, his prayer for regular bail is, accordingly, rejected.

However, since the petitioner is in custody for last six months, trial court is directed to expedite the trial and try to conclude it within a period of nine months and if the trial is not concluded within the aforesaid period, the petitioner will be at liberty to renew his prayer for bail in the court below itself.

(Vinod Kumar Sinha, J)

sunil/-

U			
---	--	--	--

