

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.116 of 2017

Arising Out of PS.Case No. -313 Year- 2015 Thana -DINARA District- SASARAM (ROHTAS)

=====

Basant Singh, Son of Raja Ram Singh, resident of Village- Sakala, P.S. Karakat(Gorari), District- Rohtas.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioner : Mr. Sanjay Kumar Tiwary, Advocate.

For the Opposite Party : Mr. Rajendra Prasad Nat, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 16-02-2017 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner is languishing in custody since 10.06.2016 in connection with Sessions Trial No. 489 of 2016, arising out of Dinara P.S. Case No. 313 of 2015, for the offences instituted under Sections 341 and 307/34 of the IPC. Later on, Section 302 of the IPC was also added.

The prosecution story, in brief, is that while the informant was going to purchase medicine, he found the driver of the truck (petitioner) was assaulting with pointed edged stone by hand and co-accused namely, Mahant Singh, the Khalasi of the truck, was assaulting with rod to his son, namely, Pramod Singh. When he raised Hulla, then both started truck and fleeing rashly and negligently, had thrown his son from the vehicle. His son was



taken to hospital where he died.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 10.06.2016 and the charge sheet has been submitted in the present case. There is no allegation of tampering of the witnesses alleged against the petitioner. He has got no criminal antecedent. He has falsely been implicated in the present case. He is the driver of the truck. There is no motive alleged against the petitioner.

On behalf of the State, it has been submitted that the petitioner is named in the F.I.R. The informant has made specific allegation against the petitioner that he assaulted the deceased inside the truck and when the informant protested, the accused persons started the truck and while fleeing away, had thrown the deceased from the truck.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioner. The same is rejected in Sessions Trial No. 489 of 2016, arising out of Dinara P.S. Case No. 313 of 2015, pending in the court of the learned Additional Sessions Judge-II, Rohtas at Sasaram. Anyhow, the court below is directed to take all necessary steps to expedite the trial.

U.K./-

U		T	
---	--	---	--

(Sudhir Singh, J)

