

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.442 of 2017

Arising Out of PS.Case No. -12 Year- 2016 Thana -NAWAKOTHI District- BEGUSARAI

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Rameshwar Mahto

.... Appellant/s

Versus

The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Shubhesh Pandey

For the Respondent/s : Mr. Sri Sadanand Paswan

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

6 11-07-2017 The appellant seeks regular bail in connection with Naokothi P.S. Case No. 12 of 2016, registered for offences punishable under Section 302, 34 and 120B of the Indian Penal, Ssection 27 of the Arms Act and Section 3(2)(V) of SC/ST (POA) Act.

It has been submitted on behalf of the appellant that he has falsely been implicated in this case by the informant only on the basis of suspicion as earlier to the occurrence, appellant had given threat to deacease to not depose against his son. However, he has nothing to do with the present occurrence. Further the statement of the informant was recorded thrice and he has named the appellant in his third statement. Petitioner has been in judicial custody since 15.03.2016.

Heard learned Special P.P. as well as learned counsel for



the informant. They have opposed the prayer for bail and submitted that earlier to the present occurrence, son of the deceased has committed rape on the deceased, for which she has lodged a case against the son of the present appellant and during the course of trial, the appellant used to threaten the deceased for not deposing against his son, however, she deposed and the son of the appellant was convicted and only to take revenge, the appellant has committed the present occurrence.

Having heard both sides, considering the facts and circumstances of the case and the nature of allegation, I am not inclined to release the petitioner on bail, his application for regular bail is, accordingly, dismissed.

However, since the appellant has been in judicial custody for more than a year, the trial court is directed to expedite the trial and try to conclude it within a period of seven months.

(Vinod Kumar Sinha, J)

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