

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3996 of 2017

Arising Out of PS.Case No. -49 Year- 2013 Thana -SIDHWARA District- DARBHANGA

=====

1. Rajesh Sharma, Son of Ramprit Sharma, Resident of Village- Rampati,
P.S. Singhwara, District Darbhanga. Petitioner/s

Versus

1. The State of Bihar. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Anish Kumar

For the Opposite Party/s : Mr. Sri Sakir Ahmad

=====

**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

3 30-03-2017 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with Session Trial No. 268-A of 2014 arising out of Singhwara P.S. Case No. 49 of 2013 registered for the offences punishable under Sections 323, 324, 307, 447, 504, 429 and 302/34 of the IPC.

The petitioner wants to renew the prayer of bail which was earlier rejected vide order dated 05.10.2016 passed in Criminal Miscellaneous No. 44310 of 2016 on the ground that now the stage of the case has been changed. The case is pending for prosecution evidence, against the petitioner there is allegation for assaulting the informant and deceased Ramsewak Sharma on their head with *Farsa* along with other co-accused persons. There is general and omnibus allegation against the petitioner and other co-accused who have assaulted the deceased. The petitioner is in



custody since 16.08.2016 and, as such, now he deserves sympathetic consideration.

The learned A.P.P. opposes the prayer of bail by submitting that petitioner was armed with Farsa and he has assaulted the informant, and all the persons, including the deceased, who came for rescue of the informant. The petitioner in spite of direction passed in Criminal Miscellaneous No. 39351/13 did not surrender and surrendered after long lapse of time resulting the proceeding of the case was also hampered.

In the facts and circumstances stated above, at present, I am not inclined to enlarge the petitioner on bail and accordingly, his such prayer stands rejected in connection with S.T. No. 268-A of 2014 arising out of Singhwara P.S. Case No. 49 of 2013 pending in the court of learned 1st Additional Sessions Judge, Darbhanga.

However, the trial court is directed to expedite and conclude the trial as early as possible preferably within a period of six months failing which, the petitioner if at no fault, may be at liberty to renew his prayer for bail.

(Jitendra Mohan Sharma, J)

sushma/-

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

