

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17339 of 2017

Arising Out of PS.Case No. -233 Year- 2016 Thana -SALKHUA District- SAHARSA

1. Md. Safi, S/o Md. Vakil Hafiz @ Md. Vakil,
2. Md. Vakil Hafiz @ Md. Vakil, S/o Late Kamaluddin, both residents of Village- Kaijary, P.S.- Beldaur, District- Khagaria.

.... Petitioner/s

Versus

- ## 1. The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Harish Kumar, Advocate

For the Opposite Party/s : Mr. Anil Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

4 20-06-2017

Heard learned counsel for the petitioners and

learned APP for the State.

Petitioners are languishing in custody in connection with Salkhua P.S. Case No. 233 of 2016 for the offences punishable under Sections 147/148/149 /341 /302 /379 / 504/506/120B of the Indian Penal Code.

The informant is not an eyewitness of the occurrence. However, according to the statement of the eyewitnesses Nitish Kumar and others the petitioners and others variously armed with fire-arm fired at Krishna Kumar causing his death. The post mortem report would reveal that the doctor has found eight fire-arm injuries, out of them four are wounds of exit.

Submission of the petitioners is that the



petitioners are in custody since 19.12.2016. The allegation is general and omnibus and they have falsely been implicated in this case due to business dispute with the informant. They have got no criminal antecedent.

Considering the nature of materials against the petitioners that the eyewitness has made specific allegation of fatal firing by the petitioners, I am not inclined to enlarge the petitioners on bail. The prayer of bail of the petitioners is refused. The trial Court is directed to expedite the trial and conclude the same preferably within nine months from the date of receipt of a copy of this order failing which the petitioners may renew the prayer for bail before the Court-below itself, who shall pass reasoned order.

(Birendra Kumar, J)

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