

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20019 of 2017

Arising Out of PS.Case No. -3 Year- 2017 Thana -CHAINPUR District- BHABHUA (KAIMUR)

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Santosh Paswan, son of Lal Chand Paswan, Resident of Village- Rupin,
P.S.- Chainpur, District- Kaimur (Bhabua).

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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with

Criminal Miscellaneous No.19737 of 2017

Arising Out of PS.Case No. -3 Year- 2017 Thana -CHAINPUR District- BHABHUA (KAIMUR)

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Sudhar Yadav

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

(In Cr.Misc. No.20019 of 2017)

For the Petitioner/s : Mr. G.K.Agrawal with
Mr.Rajesh Kumar Mishra, Advocates

For the Opposite Party/s : Mr. Nagendra Prasad

(In Cr.Misc. No.19737 of 2017)

For the Petitioner/s : Mr. Rajani Kant Pandey

For the Opposite Party/s : Mr. Ajay Kumar-1

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 20-06-2017 Both the applications arise out of Chainpur P.S.case

No. 03 of 2017, instituted under Sections 3-2/34 IPC and 27 of the

Arms Act, and they have been heard together and are being

disposed of by this common order.

Heard learned counsel for the petitioners in both the

cases.



Petitioner Sudhar Yadav is named in the FIR, whereas name of petitioner Santosh Paswan has transpired during course of investigation.

It has been submitted on behalf of the petitioner Santosh Paswan that except suspicion there is nothing against him and he is in custody since 10.1.2017. So far petitioner Sudhar Yadav is concerned, it has been submitted that except suspicion there is nothing against him and it is alleged in the FIR that when informant inquired about the deceased, he told that he was in the house of the petitioner and he is in custody since 30.1.2017.

Heard learned APP and learned counsel for the informant also. They have opposed the prayer for bail stating that petitioner Santosh Paswan has purchased land from the deceased and some money is due against him and from CDR location police has found presence of the petitioners at the time of occurrence and dead body was found just near the village of Sudhar Yadav and, as such, there is strong suspicion of their active participation in the crime against these petitioner and, as such, they do not deserve bail.

Having heard both sides and considering the aforesaid facts and circumstances and also considering the fact that there is strong motive behind the crime against the petitioners, I am not



inclined to grant bail to the petitioners.

However, as the petitioners are in custody for six months, learned trial court is directed to expedite the trial of the petitioners and try to conclude the same within a period of nine months. If trial is not concluded within the said period, petitioners may renew their prayer for bail.

With the above observation, both the applications are dismissed.

(Vinod Kumar Sinha, J)

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