

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11230 of 2017

Arising Out of PS.Case No. -275 Year- 2016 Thana -RAMNAGAR District-
WESTCHAMPARAN(BETTIAH)

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Tufani Mian @ Tufani Miya, Son of Late Habib Mian, Resident of Village-
Mudera, P.S.- Ram Nagar, District- West Champaran.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Vijay Kr Singh No. 1, Advocate

For the Opposite Party/s : Mr. Ramesh Chandra, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 21-06-2017

Heard learned counsel for the petitioner.

This is an application for bail in connection with
Ramnagar P.S.Case No. 275 of 2016 registered for the offences
punishable under Sections 302/34 of the Indian Penal Code.

Petitioner is the informant in this case and later on he
has been made accused as witnesses have named this petitioner as
assailant.

It has been submitted on behalf of the petitioner that
even perusal of FIR no case has been made out under Section 302
IPC and at best it is a case under Section 304 IPC and petitioner is
in custody for more than six months. It has further been submitted
that almost all the charge-sheeted witnesses have been examined
and they have been declared hostile and, as such, no useful



purpose will be served for keeping the petitioner behind the bars.

Heard learned APP also.

Having heard both sides and in view of submission of learned counsel for the petitioner that all the charge-sheeted witnesses have been examined in this case, at this stage I am not inclined to grant bail to the petitioner.

However, learned trial court is directed to expedite the trial and try to conclude the same within a period of three months. If trial is not concluded within the period specified, petitioner may renew his prayer for bail before the court below, who will consider the aspect of the matter that almost all the witnesses have been examined in this case and the materials on record and pass appropriate order without being prejudiced by this order.

With the above observations, this application is dismissed.

(Vinod Kumar Sinha, J)

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