

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.42522 of 2017**

Arising Out of PS.Case No. -286 Year- 2016 Thana -AURANGABAD TOWN District-  
AURANGABAD

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Ajit Singh, Son of Late Harishankar Singh, Resident of Village- Shahpur,  
P.S.- Aurangabad Town, District- Aurangabad.

.... .... Petitioner/s

Versus

The State of Bihar.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Sanjay Kumar, Adv.  
For the Informant : Mr. Ajay Kumar Thakur, Adv.  
For the Opposite Party/s : Mr. Sri Satya Nand Shukla, Adv.

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**CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL**  
**ORAL ORDER**

4      09-11-2017                      Heard learned counsel for the petitioner, learned  
counsel for the informant and learned APP for the State.

Petitioner is languishing in judicial custody since  
26.09.2016 in connection with Sessions Trial No. 287 of 2017/47  
of 2017 arising out of Town P.S. Case No. 286 of 2016 for  
offences punishable under Sections 147, 148, 149 and 302 of the  
Indian Penal Code.

The prosecution case, as lodged by the informant who  
is a constable in the C.R.P.F, is that while he came to his village,  
the petitioner along with one other started verbal fight. The  
informant informed his brother Kamal Kant Choubey (deceased)



who came along with one friend Navin Chanchal. Thereafter the petitioner along with two persons named in the F.I.R. and three unknown persons came in a Safari car. The allegation upon the petitioner is that by means of Farsa he inflicted blow on the neck and hand on which the brother Kamal Kant Choubey died while being taken to the hospital.

It has been submitted by the learned counsel for the petitioner that he is innocent and has been falsely implicated in the aforesaid case out of personal enmity. He submits that no such occurrence had taken place and because of village rivalry the petitioner has been falsely implicated. It is further submitted that he is ready to co-operate in the trial and undertakes to appear before the trial court on day to day basis.

However, learned counsel for the informant opposes the prayer for bail stating therein that it was a murder in the market place of the informant's elder brother and the witnesses have supported the prosecution case.

Learned A.P.P. for the State also opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, I am not inclined to grant privilege of bail to the petitioner at this stage in connection with Sessions Trial No.



287 of 2017/47 of 2017 arising out of Town P.S. Case No.286 of 2016, pending in the court of learned Additional Sessions Judge-VII, Aurangabad.

The application is, accordingly, rejected. However, the trial court is directed to conclude the trial within six months.

The petitioner is at liberty to renew his prayer for bail after six months if the trial is not concluded by that time.

**(Nilu Agrawal, J)**

Devendra/-

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