

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36578 of 2017

Arising Out of PS.Case No. -280 Year- 2016 Thana -KUDHNI District- MUZAFFARPUR

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Mukesh Kumar Son of Bhonu Mahto, R/o Village- Mankauli, P.S.-
Kurhani (Fakuli O.P.), District- Muzaffarpur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Sunil Kumar Pandey, Advocate.

For the Informant : Mr. Pradeep Kumar Sinha
Ms. Punam Srivastava, Advocates.

For the Opposite Party : Mr. Jitendra Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

3 21-09-2017 Heard learned counsel for the petitioner, learned
counsel for the informant as well as learned APP for the State.

2. The petitioner is in custody since 01.05.2017 in
connection with Kurhani P.S. Case No. 280 of 2016 for the offences
alleged under Sections 302, 120(B)/34 of the Indian Penal Code.

3. It is submitted that the petitioner has been falsely
implicated on mere suspicion and there is inordinate delay of two
days in instituting the F.I.R. There is no material to connect the
petitioner with the alleged occurrence. The petitioner claims clean
antecedents.

4. Learned APP assisted by learned counsel for the
informant appearing *suo motu* opposes the prayer for bail. In any
event it is pointed out that in the case of similarly situated persons,
a direction has been given in Cr. Misc. No. 39602 of 2017 for



expediting the trial and charges have already been framed.

5. Be that as it may, having regard to the nature of accusations and gravity of the offence alleged, this Court is not inclined to grant the privilege of bail to the petitioner at this stage. The bail petition stands dismissed.

6. It is made however that in case the trial is not concluded within the period of nine months, hence the petitioner shall be at liberty to renew his prayer for bail.

(Vikash Jain, J)

Md. Ibrarul/BT

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