

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Miscellaneous No.5486 of 2017**

Arising Out of PS.Case No. -151 Year- 2015 Thana -PATAHI District-  
EASTCHAMPARAN(MOTIHARI)

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Jhunu Singh, Son of Sri Bhavan Singh, resident of Village Jihuli, Police  
Station Patahi, District- East Champaran.

.... .... Petitioner

Versus

The State of Bihar.

.... .... Opposite Party

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**Appearance :**

For the Petitioner : Mr. Manoj Kumar Singh, Advocate.

For the Opposite Party : Mr. Damodar Prasad Tiwary, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

3      15-03-2017                      Heard learned counsel for the petitioner and learned  
counsel for the State.

The petitioner is languishing in custody since 14.09.2015  
in connection with Patahi P.S. Case No. 151 of 2015 for the  
offences instituted under Section 302 of the IPC.

The prosecution case, in short, is that on 12.09.2015, the  
informant and his father Bhadai Thakur were doing cultivation  
work in their land. In the meantime, the petitioner came there and  
told his father that where is *Bridha* Pension money and abused  
him, then his father replied that *Bridha* Pension money is not in  
his possession. Thereafter the petitioner assaulted his father with  
*Daab* on his neck, as a result of which, his father died on the spot.



Due to fear, the informant fled away and narrated the fact to his other family members and the villagers. Then the villagers and his family members came and saw the dead body.

The earlier bail application of the petitioner was rejected vide Cr. Misc. No. 27864 of 2016 with a direction to the court below to take all necessary steps to expedite the trial. This is second attempt on behalf of the petitioner for grant of bail.

A report was called for from the court below regarding the stage of the case. It has been reported that the case has already been committed to the Court of Sessions and the trial is expected to be concluded within a period of nine months.

Considering the aforesaid facts and circumstances, as the petitioner being the main assailant, I am not inclined to grant bail to the petitioner. The same is rejected in Patahi P.S. Case No. 151 of 2015, pending in the court of the learned A.C.J.M.-VIII, East Champaran at Motihari.

The court below is directed to take all necessary steps to conclude the trial preferably within a period of nine months from the date of receipt/production of copy of the order.

The District Magistrate, East Champaran at Motihari and the Superintendent of Police, East Champaran at Motihari are also directed to take all necessary steps to produce the prosecution



witnesses on the date fixed by the court below so that the trial could be concluded within the stipulated period.

Let a copy of this order be communicated to the District Magistrate, East Champaran at Motihari and the Superintendent of Police, East Champaran at Motihari.

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**(Sudhir Singh, J)**

