

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25041 of 2017

Arising Out of PS.Case No. -209 Year- 2015 Thana -BIBHUTIPUR District- SAMASTIPUR

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1. Dayanand Yadav @ Pathla, Son of Late Basudeo Yadav, Resident of Village- Manda Boodh Rai Tol, Police Station- Bibhutipur, District- Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Kumar No-2

For the Opposite Party/s : Mr. Sri Narendra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 10-07-2017 The petitioner seeks regular bail in connection with Bibhutipur P.S. Case No. 209 of 2015, registered for offences punishable under Sections 302 and 34 of the Indian Penal Code and Section 27 of the Arms Act.

Prosecution case is that informant heard a sound of firing and went out of his house and saw petitioner and one other person fleeing away and, thereafter, dead body of the deceased was found.

It has been submitted on behalf of the petitioner that he has falsely been implicated by the informant as there is previous enmity between them. Further as per prosecution case, the occurrence was of night and it was hard to identify that the person, who was fleeing away was actually petitioner and also it has no



where been mentioned that as to what type of arm/arms, petitioner was carrying at that time. Petitioner has been in judicial custody since 02.02.2017.

Learned counsel for the State opposed the prayer for bail.

Having heard both sides, considering the fact that the petitioner and one other was seen fleeing away from the place of occurrence by the informant and, thereafter, the dead body of the deceased was found, as such, considering the allegation, I am not inclined to release the petitioner on bail, his application for regular bail is, accordingly, rejected.

However, since the petitioner has been in judicial custody, learned trial court is directed to expedite the trial and try to conclude it within a period of nine months and if the trial is not concluded within the aforesaid period, the petitioner will be at liberty to renew his prayer for bail in the trial court itself.

(Vinod Kumar Sinha, J)

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