

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30414 of 2017

Arising Out of PS.Case No. -6 Year- 2016 Thana -HAJIPUR SADAR District-
VAISHALI(HAJIPUR)

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1. Pawan Kumar Rai, Son of Late Motilal Rai, Resident of Village-
Sabalpur Chaharan, Police Station- Sonepur, District- Saran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Singh

For the Opposite Party/s : Mr. Sri Atul Chandra

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

5 09-10-2017 Heard the parties.

This application is for grant of regular bail in connection with Hajipur Sadar P.S.Case No.6 of 2016 for the offences under Sections 364, 302, 394 and 201 of the Indian Penal Code.

The petitioner is not named in the FIR and later on his name transpired during the course of investigation of the case on the basis of confessional statement of the co-accused as well as on the basis of tower location of the mobile of the petitioner.

Submission of the learned counsel for the petitioner is that nothing has been recovered from the possession of the petitioner and there is no motive behind the occurrence. It has also been submitted that in the impugned order it has been mentioned



that the vehicle was in the name of grant mother. The petitioner is in custody for about 1 ½ years.

Heard learned A.P.P., who has opposed the prayer for bail stating that tower location of the mobile of the petitioner also shows his presence near the place of occurrence as well as confessional statement of the co-accused.

Having heard both sides and in view of the facts and circumstances, as stated above, I am not inclined to grant bail to the petitioner at this stage, however, considering the fact that the petitioner is in custody for about 1 ½ years, the learned trial court is directed for commitment of the case and once it is committed, the learned trial court is directed to expedite the trial and try to conclude it within a period of nine months. At the same time, the S.P., Vaishali at Hajipur is directed to ensure presence of the witnesses in this case during the trial and the District Judge, Vaishali at Hajipur is also directed that the case is committed within a period of one month.

With the aforesaid observation, this application is dismissed.

(Vinod Kumar Sinha, J)

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