

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23939 of 2017

Arising Out of PS.Case No. -415 Year- 2015 Thana -BAHERA District- DARBHANGA

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1. Santosh Yadav Son of Suraj Yadav, Resident of Village- Vishwanathpur, fardaha, P.S.- Bahera, District- Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Saroj Kumar
For the Opposite Party/s : Mr. Sri Sanjay Kumar Tiwary
For the informant : Mr. Iqbal Asif

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 07-07-2017 The petitioner seeks regular bail in connection with Bahera P.S. Case No. 415 of 2015, registered for offences punishable under Sections 147, 148, 149, 341, 342, 323, 324, 302 and 120(B) of the Indian Penal Code.

Allegation against the petitioner is that he along with others assaulted the deceased due to which he died.

It has been submitted on behalf of the petitioner that there is allegation against two person of assault on the deceased by iron rod and one injury was found on head of the deceased and further other persons have also assaulted the deceased by means of *lathi*, *danda etc.*, therefore, there is no specific allegation that who assaulted on the head of the informant. Further petitioner has been in judicial custody since 30.05.2016.



Learned counsel for the State as well as learned counsel for the informant opposed the prayer for bail.

Having heard both sides, considering the facts and circumstances of the case and the nature of 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 custody for more than a year, the trial court is directed to expedite the trial and try to conclude it as soon as possible, preferably, 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 Court below itself.

(Vinod Kumar Sinha, J)

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