

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52548 of 2017

Arising Out of PS.Case No. -153 Year- 2015 Thana -GAUNAHA District-
WESTCHAMPARAN(BETTIAH)

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1. Islam Mian, Son of Bhutely Mian, Resident of Donwar Birhtola, P.S.-
Sanichari, District- West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhagya Narayan Jha

For the Opposite Party/s : Mr. Sri Abhay Kumar Roy

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 14-11-2017

Heard learned counsel for the petitioner.

This is an application for bail in connection with
Gaunaha P.S. Case No. 153 of 2015, registered for the offences
punishable under Section 302/34 of the Indian Penal Code.

Allegation against the petitioner is of stabbing the
deceased from behind causing serious injury to him.

Submission of learned counsel for the petitioner is
that the petitioner is named in F.I.R. He has been falsely
implication in this case. Nobody has seen the occurrence as the
informant has stated that the stab was from behind and no other
persons are eye-witnesses of the occurrence. He is in custody
since 04.11.2015.

Heard learned APP also.



Having heard both sides and in view of facts and circumstances, I am not inclined to grant bail to the petitioner as he is in custody for about two years.

However, the learned court below is directed to expedite the trial and conclude the same within a period of nine months. At the same time, the Superintendent of Police, West Champaran is directed to ensure the presence of the witnesses in court so that the trial be concluded within specified period.

With this observation, this application is dismissed.

(Vinod Kumar Sinha, J)

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