

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54727 of 2016

Arising Out of PS.Case No. -163 Year- 1999 Thana -AMARPUR District- BANKA

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Bulu Singh, Son of Manikant Singh, resident of village - Kothiya, P.S.
Amarpur, District - Banka

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Pranav Kumar

For the Opposite Party/s : Mr. Sri Dashrath Mehta

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 08-02-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks bail in a case instituted under
Sections 147, 148, 149, 324, 307 and 302 of the Indian Penal
Code and Section 27 of the Arms Act.

Allegation against the petitioner is of committing
murder of the son of the informant due to land dispute.

Earlier the bail application of the petitioner was
rejected vide Annexure-1 to the present application with the
direction to the court below to conclude the trial preferably within
a period of one year from the date of receipt/production of the
order.

A report was called for from the trial court. It has



been reported that out of 17 prosecution witnesses, 4 prosecution witnesses have already been examined. It has further been reported that in another 9 months, the trial is expected to be concluded.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 13.03.2015. He has got no criminal antecedent. Out of three eyewitnesses named in the F.I.R., two witnesses have not supported the allegations in course of investigation. The entire occurrence is said to be taken place due to property dispute in the family. Both the parties are agnates.

On behalf of the state, it has been submitted that the petitioner is main assailant, causing firearm injury on the head of the deceased, which turned out to be fatal injury.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioner. The same is rejected in S.T. No. 253 of 2015, arising out of Amarapur P.S. Case No. 163 of 1999, pending in the court of Sri K.K. Agrawal, Adhoc Additional Sessions Judge-I, Banka.

The Trial Court is directed to take all necessary steps to conclude the trial preferably within a period of 9 months from the date of receipt/production of this order.

The District Magistrate, Banka and the Superintendent



of Police, Banka are directed to ensure that the remaining prosecution witnesses are produced in the court on the date fixed by the court below, so that the trial could be concluded within the stipulated period, as indicated by the court below.

Let a copy of this order be communicated to the District Magistrate, Banka and the Superintendent of Police, Banka.

(Sudhir Singh, J)

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