

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44078 of 2017

Arising Out of PS.Case No. -30 Year- 2017 Thana -BARAHIYA District- LAKHISARAI

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1. Sonu Kumar, son of Niwas Singh, resident of village- Dhiradarh, P.S.-
Barahiya, District- Lakhisarai.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jai Prakash Singh

For the Opposite Party/s : Mr. Sri Vinod Shankar Modi

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 16-10-2017 Heard the parties.

This application is for grant of regular bail in connection with Barahiya P.S.Case No.30 of 2017, G.R.No.220 of 2017 for the offences punishable under Sections 364/34 of the Indian Penal Code and subsequently on 27.2.2017 added under Section 302/201 of the I.P.C.

Allegation against the petitioner is of causing death of the deceased and later on it appears from the impugned order that on confession of the grand father (*nana*), the dead body was recovered from the bank of the river and he has also named the petitioner and one of the co-accused as the person who has killed the deceased.

Submission of the learned counsel for the petitioner is that except suspicion there is nothing against him and even the FIR shows that it is the co-accused Niwas Singh who had called



the deceased to bring his daughter from *nanihal* and there is no allegation against the petitioner. The petitioner is in custody since 24.2.2017.

Heard learned A.P.P. as well as the learned counsel for the informant. They have opposed the prayer for bail on the ground that the co-accused has named the petitioner and dead body was also recovered from the bank of the river at the confession of grand father (*nana*) of the petitioner.

Having heard both sides and in view of facts and circumstances, as stated above, as well as the fact that the dead body was found on the confession of the co-accused, I am not inclined to grant bail to the petitioner at this stage, however, considering the fact that he is in custody for eight months, the learned trial court is directed to expedite the trial and try to conclude it within a period of nine months and the learned District Judge of Lakhisarai is also directed to see that the case is committed to the court of sessions within a period of one month.

With the aforesaid observation, this application is dismissed.

(Vinod Kumar Sinha, J)

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