

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.26044 of 2017

Arising Out of PS.Case No. -153 Year- 2016 Thana -KASIMBAZAR District- MUNGER

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1. Manjeet Mandal son of Late Ashoki Mandal, resident of Mohalla- Shastri Nagar, P.S.- Kasim Bazar, District- Munger.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Yogesh Chandra Verma, Sr. Advocate
Mr. K.N. Sahay, Advocate
For the informant : Mr. Sanjeev Kumar, Advocate
For the State : Mr. Pancha Nand Pandit, A.P.P.

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

4 24-07-2017 Heard learned counsel for the petitioner, learned counsel for the informant and learned A.P.P. for the State.

The petitioner is in judicial custody since 22.12.2016 in connection with Kasimbazar P. S. Case No. 153 of 2016 for offences alleged under Sections 302/34/120 (B) of the Indian Penal Code and 27 of the Arms Act.

Allegation against the petitioner and other accused persons is of firing on the son of the informant due to which he died.

It has been submitted by the learned counsel for the petitioner that he is innocent, has been falsely implicated in the aforesaid case. In fact the deceased was a veteran criminal and due to conspiracy by some enemies, they killed the son of the informant and the petitioner has been unnecessarily dragged in this



case. He further submits that general and omnibus allegations have been levelled against him and as many as fifteen persons are alleged to be involved in the said offence therefore, it cannot be said, that on whose firing, the deceased succumbed.

Learned counsels appearing on behalf of the informant as well as the State jointly submit that altogether fifteen injuries were found on the person of the deceased and this is a case of brutal murder, as such, petitioner does not deserve to be enlarged on bail.

Having heard both sides, in view of the fact that there is direct allegation against the petitioner that he along with others killed the deceased, I am not inclined to release him on bail, his prayer for bail is, accordingly, rejected.

However, since the petitioner is in custody for last six months, trial court is directed to expedite the trial and try to conclude it within a period of none months and if the trial is not concluded within the aforesaid period, the petitioner will be at liberty to renew for bail in the Court below itself.

(Nilu Agrawal, J)

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