

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5324 of 2018

Arising Out of PS.Case No. -107 Year- 2016 Thana -NAUHATTA District- SAHARSA

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1. Roshini Tuddu, D/o Late Rajeshwar Tuddu,
2. Churki Devi W/o Late Rajeshwar Tuddu,
3. Prabhu Prakash Hembram, S/o Dhaneshwar Hembram,
All R/o Village- Naya Nagar Santhali Tola, P.S.- Nauhatta, District-
Saharsa.

.... Petitioners

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Amarnath Jha

For the Opposite Party/s : Mr. Sri Ram Bilash Roy Raman

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

2 31-01-2018 Heard learned counsel for the petitioners as well as
learned A.P.P. for the State.

The bail prayer of these petitioners was rejected earlier by this Court on 12.04.2017 in Cr.Misc.No.40872 of 2016. These petitioners have renewed their prayer for bail on the ground that the other co-accused persons are enjoying privilege of bail. One of the co-accused Laleshwar Hembrum has been allowed bail on 30.11.2017 in Cr.Misc.No.50691 of 2017 and another co-accused Shyam Pasi against whom there is specific allegation of enmity has been allowed anticipatory bail by another Bench of this Court on 22.12.2016 in Cr.Misc.No.52887 of 2016. It has been further submitted that three witnesses examined on behalf of prosecution



have not supported the complicity of these petitioners. The petitioners having clean antecedent remained in custody for more than one and half years and so they deserve to be enlarged on bail.

The learned A.P.P. opposed the submission.

On perusal of earlier order as well as F.I.R. I find that the bail prayer has been rejected considering the fact that the dead body of the deceased was found in the courtyard of these petitioners. The deceased had sustained several injuries on his person and in course of investigation a large number of witnesses had supported the allegation of assault against these petitioners in whose courtyard the dead body was recovered.

Considering the materials on record, I am not inclined to reconsider their prayer for bail afresh. Their prayer for bail is again rejected. The trial court is directed to expedite the trial and if the trial is not concluded within six months from today, the petitioners are at liberty to renew their prayer afresh.

Harish/-

(Sanjay Kumar, J)

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