

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9124 of 2018

Arising Out of PS.Case No. -574 Year- 2017 Thana -BETTIAH CITY District-
WESTCHAMPARAN(BETTIAH)

1. Tripurari Kumar @ Tirpurari Kumar S/o Badelal Mahto, R/o Village-
Naya Bazar, Ward No. 11, P.S.- Kalibagh O.P. (Town Bettiah), District-
West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

WITH
Criminal Miscellaneous No.30783 of 2018

Arising Out of PS.Case No. -574 Year- 2017 Thana -BETTIAH CITY District-
WESTCHAMPARAN(BETTIAH)

1. Ram Babu Sah son of Heera Lal Sah resident of mohalla - Purani
Gudari behind Harnath School, Bettiah, Police Station - Bettiah Town
(Kalibagh O.P.), District - West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

Appearance :
(In Cr.Misc. No.9124 of 2018)
For the Petitioner/s : Mr. Sanjeev Kumar, Advocate
For the Opposite Party/s : Mr. Parmeshwar Mehta, APP
(In Cr.Misc. No.30783 of 2018)
For the Petitioner/s : Mr. Brij Kishor Mishra, Advocate
For the Opposite Party/s : Mr. Shyam Kumar Singh, APP
CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 25-06-2018 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners are in custody in connection with
Bettiah Town (Kalibagh O.P.) P.S. Case No.574 of 2017, a case
under Sections 302/34/120B of the Indian Penal Code.

In the occurrence of assault committed against the



deceased the petitioners are alleged to have committed injury with sword at the chest and the waist respectively. The doctor has found multiple incised wound on the person of the deceased including at the chest and near left buttock as well as left side of mid area of back. Three eyewitnesses have supported the allegation before the police including the informant.

Submission of the learned counsel for the petitioners is that the petitioners are in custody since 23.08.2017 and 11.08.2017. In fact the informant is not an eyewitness of the occurrence; rather cooked-up story is there after commission of the murder of the brother of the informant in some unknown occurrence.

Considering the nature of allegation and material available, I am not inclined to enlarge the petitioners on bail. Hence, the prayer for bail is refused. The learned trial Court is directed to expedite the trial and conclude the same within nine months, failing which the petitioners would be at liberty to renew the prayer for bail before the trial judge itself, who shall pass a reasoned order.

(Birendra Kumar, J)

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