

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40619 of 2018

Arising Out of PS.Case No. -137 Year- 2017 Thana -SATHI District-
WESTCHAMPARAN(BETTIAH)

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1. Shukul Yadav @ Shukla Yadav S/o Ramsurat Yadav, R/o Vill.-
Basantpur, P.S.- Sathi, District- West Champaran at Bettiah.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raghunandan Kumar Singh

For the Opposite Party/s : Smt. Nirmala Kumari

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 24-09-2018 The petitioner is in custody since 20.09.2017 in connection with Sathi P.S. Case No. 137 of 2017, registered for offences punishable under Sections 341, 342, 323, 302, 120(B)/34 of the Indian Penal Code.

Allegation as per F.I.R. is that the son of the informant was called by one Ranju Devi and he was assaulted brutally by petitioner and other accused persons due to which he succumbed to the injury.

Submission of learned counsel for the petitioner is that there is no eye witness of the occurrence and the petitioner has falsely been implicated in this case. Further submission is that the petitioner is aged about 55 years old and no specific allegation has been attributed to him and he is in custody since 20.09.2017.



Heard learned A.P.P. as well as learned counsel for the informant, they have opposed the prayer of bail of the petitioner stating that the son of the informant was recovered from the house of the petitioner and, thereafter, he was taken to hospital for treatment, where he died. Moreover the prayer for bail of the other accused persons namely Janak Yadav and Bharat Yadav have already been rejected by Coordinate Benches of this Court vide order dated 03.05.2018 passed in Cr. Misc. No.26676 of 2018 and vide order dated 09.07.2018 passed in Cr. Misc. No.26808 of 2018.

Having heard both sides and in view of facts and circumstances as stated above, I am not inclined to enlarge the petitioner on bail. However, since he is in custody for more than one year, learned Trial Court is directed to expedite the trial.

Accordingly, this application is dismissed.

(Vinod Kumar Sinha, J)

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