

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52334 of 2017

Arising Out of PS.Case No. -130 Year- 2017 Thana -GARKHA District- SARAN

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Pankaj Singh @ Pankaj Kumar, Son of Rajeshwar Singh, Resident of
Village-Vajeet Pur, Police Station-Garkha, District-Saran.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar, Adv.

For the Opposite Party/s : Mr. Sri Sakir Ahmad, APP.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

4 12-02-2018 Heard learned counsel for the petitioner and
learned APP for the State.

Petitioner seeks bail in a case registered for
the offences punishable under Sections 147,148,149,302 of
the Indian Penal Code.

Allegation against the petitioner is that he
pierced dagger near the waist of Shamsheer Alam, as a result
whereof, Sahamsheer Alam died subsequently. Though the
Doctor who performed the postmortem recorded that there
was a spleen rupture with extremism of blood and blood
clots in abdomen cavity. However, the cause of death was
recorded as haemorrhage and shock resulting from multiple
injuries caused by hard and blunt substance. The aforesaid
cryptic injury report cannot be relied for disbelieving the



witness at this stage.

Learned counsel for the petitioner submits that several persons are accused in this case and there is general and omnibus nature of assault. There is case and counter case. Petitioner is in custody since 22.03.2017.

Considering the nature of allegation against the petitioner, I am not inclined to enlarge him on bail for the present in connection with Garkha Police Station Case No. 130 of 2017 pending in the court of learned Additional Chief Judicial Magistrate-V, Saran at Chapra/successor court.

Hence, prayer for bail is refused.

However, the learned trial court is directed to conclude the trial within nine months from the date of receipt/production of a copy of this order. If the trial is not concluded within the aforesaid period, the petitioner would be at liberty to renew his prayer for bail before the learned trial court who shall consider the prayer without being prejudiced by this order.

(Birendra Kumar, J)

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