

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.42029 of 2018

Arising Out of PS.Case No. -501 Year- 2014 Thana -RUNISAIDPUR District- SITAMARHI

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Aadars Kumar @ Chanchal Kumar, son of Arun Singh @ Arun Kumar Singh, resident of Village- Madhaul, P.S.- Runnisaidpur, District- Sitamarhi.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Krishna Prasad Singh, Senior Advocate and Mr. Ganesh Prasad Singh, Advocate.

For the Opposite Party : Mr. Amitesh Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 09-08-2018 Heard learned senior counsel for the petitioner and learned counsel for the State.

The petitioner is languishing in custody since 11.02.2016 in connection with Runnisaidpur P.S. Case No. 501 of 2014 for the offence registered under Sections 302, 307, 120(B)/34 of the IPC and 27 of the Arms Act.

The prosecution story, in brief, is that on 06.11.2014 at about 4.00 P.M., the informant, his brother and Bhabhi were returning the home from the court by Motorcycle and when they reached near Takaur Petrol Pump at about 5.30 P.M. at N.H. 77, then on two Motorcycles, six persons arrived and overtook them



with firing upon them causing injuries to them as a result of which, the informant's Bhabhi, namely, Mala Devi, died on the spot and the informant's brother Sudhir Kumar and the informant fell down by sustaining fire arm injuries. The motive behind the occurrence is that the informant's nephew Deepak Kumar has solemnized marriage with Bharti Kumari, daughter of co-accused Bachcha Singh and on the day of occurrence both parties had come at the court in connection with that case bearing Runnisaidpur P.S. Case No. 212/2014 and the co-accused persons had threatened to kill them.

This is third attempt on behalf of the petitioner for grant of bail.

Earlier bail application of the petitioner was rejected vide Cr. Misc. No. 22796 of 2016 dated 04.10.2016 and Cr. Misc. No. 17374 of 2017 dated 05.07.2017 taking into account that the petitioner had facilitated the shooters in making firing upon the deceased as the deceased had gone to the court in respect of bail application of her son.

On the last occasion, the court below was directed to take all necessary steps to expedite the trial and conclude the same preferably within a period of nine months from the date of receipt/production of copy of the order.



A report was called for from the court below regarding the stage of the case. It is surprising that it has been reported that the case has yet not been committed to the Court of Sessions in spite of direction of this Court.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioner. The same is rejected in connection with Runnisaidpur P.S. Case No. 501 of 2014, pending in the court of learned C.J.M. Sitamarhi.

The court below is directed to take all necessary steps to commit the case to the Court of Sessions and to conclude the trial, preferably on day to day basis,

within a period of nine months from the date of receipt/production of copy of this order.

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(Sudhir Singh, J)

