

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.14764 of 2018

Arising Out of PS.Case No. -210 Year- 2016 Thana -KUCHAIKOTE District- GOPALGANJ

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1. Abhishek Kumar Singh @ Abhishek Kumar @ Abhishek Kumar, S/o Shambhu Singh, R/o Village- Manikpur, P.S.- Gopalganj, District- Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Pandey

For the Opposite Party/s : Mr. Binod Kr. -III

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA

ORAL ORDER

2 16-05-2018 Heard both sides.

The petitioner seeks bail in Kuchaikot P.S. Case No.210 of 2016 registered under Sections 302 and 34 of the Indian Penal Code.

The learned counsel for the petitioner submits that the prayer for bail of the petitioner was earlier rejected vide order dated 29.06.2017 but the trial has not yet been concluded. Petitioner is a young boy aged about 20 years. Petitioner is in jail since 08.10.2016 but the trial is not likely to be concluded in near future, hence, the petitioner be enlarged on bail.

On perusal of the record and the F.I.R., it appears that mother of the deceased is the informant of the case. The mother vividly described that while his son was sitting at his shop, Dinesh



Kumar, Aatma Kumar, Abhishek Kumar Singh, the petitioner and Aditya Kumar Pandey came. While the son of the informant was discharging the mobile of Dinesh Kumar, on the order of Aditya Kumar Pandey, Aatma Kumar and Abhishek Kumar Singh, the petitioner began to indiscriminately assault on Abhimanyu Kumar Sharma with dagger. As many as seven injuries were found on the person of the deceased.

Considering the facts aforesaid and the nature of allegation that the petitioner indiscriminately assaulted the deceased with dagger resulting the death of deceased, I am not inclined to enlarge the petitioner on bail.

The trial court is directed to expedite the trial and hold the same on day to day basis so that the trial must be concluded within one year.

S.P., Gopalganj is directed to ensure the attendance of the prosecution witnesses of Kuchaikot P.S. Case No.210 of 2016 in the trial court so that the trial must be concluded within one year. Let a copy of this order be sent to the trial court as well as S.P., Gopalganj.

(Prabhat Kumar Jha, J)

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