

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.60469 of 2017

Arising Out of PS.Case No. -63 Year- 2015 Thana -SONO District- JAMUI

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1. Latalu Mandal, Son of Late Basudeo Mandal @ Baldeo, Resident of Village- Dhorar Tola, Nimaray, P.S.- Sono, District- Jamui.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Sinha

For the Opposite Party/s : Mr. Sri Shailendra Kumar -1

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

5 16-05-2018 Heard both sides.

The petitioner seeks bail in Sono P.S. Case No.63/2015, registered under Sections 364, 302, 201 and 34 of the Indian Penal Code.

The prayer for bail of the petitioner was earlier rejected vide order dated 01.05.2017 passed in Cr. Misc. No.12596 of 2017.

The learned counsel for the petitioner submits that the wife of the deceased lodged the F.I.R. but in her further statement, she did not support the case of the prosecution. Learned counsel for the petitioner further submits that the deceased committed rape with many other women of the village. Nobody had seen the occurrence but from perusal of the F.I.R.



itself, it appears that the wife of the deceased made very specific allegation that the petitioner and others came to his poultry farm and used to take hens without paying price. When the husband of the informant objected, the petitioner and others assaulted the husband of the informant and killed him. The accused persons also took away the dead body of the husband of the informant. The I.O. also found that the roof of poultry farm was burnt. Blood stained plank of wood was found on the place of occurrence. The witnesses, during course of investigation, have also stated that the petitioner and others killed the husband of the informant.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner on bail. Accordingly, the same is rejected in connection with Sono P.S. Case No.63/2015, pending in the court of learned A.C.J.M.-I, Jamui.

Since the petitioner is in jail since 03.01.2017, the Trial Court is directed to hold the trial on day to day basis and conclude the same within one year from the date of receipt of this order.

The Superintendent of Police, Jamui is also directed to ensure the attendance of the prosecution witnesses in the trial court in connection with Sono P.S. Case No.63/2015, 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 Superintendent of Police, Jamui for information and needful.

(Prabhat Kumar Jha, J)

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