

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2472 of 2018

Arising Out of PS.Case No. -73 Year- 2016 Thana -BIHPUR District- BHAGALPUR

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Rishav Kumar S/o-Naresh Pandit R/o-Moh-Kali Mela, RH 10 Jama Doba
P.S.-Jora Pokhar, District-Dhanbad.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Giri

For the Opposite Party/s : Smt. Pronati Singh

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 14-03-2018 Heard both sides.

The petitioner seeks bail in Bihpur (Jhandapur) P.S.
Case No.73/2016, registered under Sections 302, 120(B)/34 of the
Indian Penal Code and Section 27 of the Arms Act, corresponding
to S.T. No..485/2016.

Learned counsel for the petitioner submits that the
petitioner is not named in the F.I.R. The petitioner was not
arrested on chase. Some articles are said to have been recovered
from the Xylo vehicle, in which the criminals were travelling and
they killed the lawyer. All other accused persons have been
granted bail but from perusal of the record I find that a practicing
lawyer of Civil Court, Naugachhia, who was returning after
attending the Civil Court was chased by the occupants of the Xylo



vehicle and shot dead. On chase, the occupants of the Xylo vehicle fled away but from the vehicle many articles were recovered. The photographs, tuition fees receipts of the petitioner were recovered and these facts show that the petitioner was one of the occupants of the vehicle.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner on bail. Accordingly, the same is rejected.

The Trial Court is directed to expedite the trial and hold the trial on day to day basis and conclude the same within a period of nine months from the date of receipt/production of a copy of this order.

The Superintendent of Police, Naugachhia is directed to ensure the attendance of the witnesses in the trial court so that the trial must be concluded within five months.

Let a copy of this order be sent to learned Trial Court as well as Superintendent of Police, Naugachhia for information and needful.

The petitioner, if so advised, may renew his prayer for bail if the trial is not concluded within nine months.

(Prabhat Kumar Jha, J)

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