

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.44271 of 2018

Arising Out of PS.Case No. -35 Year- 2014 Thana -VAISHALI District- VAISHALI(HAJIPUR)

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Mukesh Singh Son of Late Jagarnath Singh, resident of Village- Phanda,
Police Station- Karja, District- Muzaffarpur. Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar, Advocate

For the Opposite Party/s : Mr. Uday Chand Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL
ORAL ORDER

4 28-09-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in connection with Vaishali
(Belsar O.P) P.S. Case No. 35 of 2014 registered under Sections
302/201 of the Indian Penal Code.

Petitioner is said to have taken the uncle of the
informant on the motorcycle on the pretext of purchasing cow on
the date of occurrence and since then his uncle was missing and
lastly his dead body was found in Nagma Chour.

It is submitted by learned counsel for the petitioner
that there is no eye witness of the occurrence. None has seen the
petitioner taking away the deceased on the motorcycle. There is no
animosity between the deceased and the petitioner as also there is
no motive behind of the occurrence. Petitioner has been falsely
implicated in this case merely on suspicion. He has been
languishing in custody since 18.03.2018.



On the other hand, learned APP for the State and learned counsel for the informant vehemently opposing the bail petition submitted that witnesses in Paras- 19, 20 and 22 of the case diary have seen the petitioner taking away the deceased on the motorcycle for purchasing the cow on the date of occurrence. It is further submitted that the petitioner was avoiding his arrest for a considerable period of three years. Hence, he does not deserve bail.

In the facts and circumstances, the prayer for bail of the petitioner is hereby rejected.

However, the learned Trial Court is directed to conclude the trial as expeditiously as possible preferably within a period of nine months from the date of receipt/production of a copy of this order and the Superintendent of Police, Vaishali at Hajipur is directed to ensure production of the witnesses in the case on each and every date fixed without fail.

Let a copy of this order be communicated to the Superintendent of Police, Vaishali at Hajipur by fax for needful.

(Prakash Chandra Jaiswal, J)

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