

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25870 of 2019

Arising Out of PS. Case No.-48 Year-2018 Thana- TILAUTHU District- Rohtas

1. Rang Jee Singh Son of Late Nanhku Singh @ Chandarbhan Singh Resident of Village - Hurka P.S.-Tilauthu Dist- Rohtas.
2. Nikhil Kumar Son of Shiv Singh Resident of Village - Hurka P.S.-Tilauthu Dist- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Ajay Kumar Thakur, Advocate Mr. Udbhav, Advocate
For the State	:	Mr. Mohammad Sufyan
For the informant	:	Mr. Pratik Mishra, Advocate

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 26-08-2019 Heard learned counsel for the petitioners, learned
APP for the State and learned counsel for the informant

The petitioners seek bail in Sessions Trial 513 of 2018 arising out of Tilauthu P.S. case No.48 of 2018 registered under Sections 326, 302, 504/344 of the Indian Penal Code, pending in the court of Additional Sessions Judge IV, Rohtas at Sasaram.

Prosecution case, in short, is that on 31.07.2018 the informant, his wife and daughter were going to Dehri, then the accused persons caught them and abused them. Petitioners Rangjee and Nikhil took his daughter and started to cut her neck and when the informant raised objection, they tried to kill informant. His daughter died in the way to Varanasi Hospital.



It has been submitted on behalf of the petitioners that the petitioner No.1 is in custody since 1.8.2018 and petitioner No.2 is in custody since 7.9.2018. Charge sheet has been submitted in this case. There is no allegation of tampering of witnesses alleged against the petitioners. The statement of the eye witnesses are recorded in paragraphs 7 and 23 of the supplementary case diary, where the said witnesses have stated that the informant himself had used a blade for cutting the neck of his daughter. The petitioners have falsely been implicated in this case. On earlier occasion also, the informant had instituted a case against the petitioners.

On behalf of the State and learned counsel for the informant, it is submitted that the petitioners are named in the F.I.R. They are the assailants, who had cut the neck of the daughter of the informant. The informant is an eye witness to the alleged occurrence and his wife is also an eye witness to the alleged occurrence. The statement of the wife of the informant has been recorded in paragraph 5 of the main case diary and the informant has not yet been charge-sheeted in the present case. Further the statement recorded in paragraphs 7 and 23 of the supplementary case diary has not been accepted till date by the Investigating Officer.



Considering the fact that the petitioners are the assailants, I am not inclined to grant bail to the petitioners. The same is rejected.

The Trial Court is directed to take all necessary steps to conclude the trial preferably within a period of nine months from the date of receipt/production of a copy of this order.

(Sudhir Singh, J)

Narendra/-

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