

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18117 of 2019**

Arising Out of PS. Case No.-236 Year-2017 Thana- GARKHA District- Saran

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Dilip Rai Son of Hira Rai Resident of Village- Narayanpur, Police Station-
Garkha, District- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjana

For the Opposite Party/s : Mr.Nirmal Kumar Sinha

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

5 19-09-2019 Heard learned counsel for the petitioner and learned APP for
the State.

The petitioner seeks bail in a case registered under Sections
147, 148, 149, 449, 302, 307 of the Indian Penal Code, 27 of the
Arms Act and 3/4 of Explosive Substances Act.

The prosecution case, in brief, is that the accused persons
having entered the house of the informant, threw bomb and made
firing, as a result of which, three persons died at the spot.

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent. There is no allegation of
tampering of witnesses alleged against the petitioner. The petitioner
is in custody since 08-06-2017. Charge sheet has already been
submitted. The petitioner has been falsely implicated in the present
case. General and omnibus allegation has been made against the
petitioner and the other accused persons. No specific injury is



attributed against the petitioner. There is no specific allegation of overt act alleged against the petitioner.

On behalf of the State, it is submitted that the petitioner is named in the Complaint Case/F.I.R. The accused persons entered the house of the informant and committed murder of three persons. The informant is an eye witness to the alleged occurrence. The petitioner also participated in the commission of murder of three persons. The said fact is supported by the witnesses in their statements recorded in paragraphs-16 & 17 of the case diary.

A report was called for from the trial court. It has been reported that charge has already been framed and the trial is likely to be concluded within a period of six months.

Considering the nature of allegation and stage of the case, I am not inclined to grant bail to the petitioner. Accordingly, prayer for bail of the petitioner in connection with Sessions Trial No. 26 of 2018 arising out of Garkha P.S. Case No. 236 of 2017 is rejected.

The trial court is directed to take all necessary steps to expedite the trial and conclude the same, preferably within a period of six months from the date of receipt/production of copy of this order.

(Sudhir Singh, J)

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