

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.19099 of 2019**

Arising Out of PS. Case No.-61 Year-2016 Thana- SHRI NAGAR District- Madhepura

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MUKESH SHARMA, aged about 35(M), Son of Kamo Sharma, Resident of Village- Baghwa, Ward No. 3, P.S.- Srinagar, District- Madhepura.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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**Appearance :**

For the Petitioner : Mr.Sharda Nand Mishra, Advocate.

For the Opposite Party : Mr.Bal Mukund Prasad Sinha, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

4      13-08-2019                      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

The petitioner is languishing in custody since 05.11.2016 in a case for the offence registered under Sections 341, 323, 324, 307 and 302 of the IPC.

The prosecution story, as lodged by the maternal uncle of the deceased(Deepak Kumar), is that his sister Poonam Devi and her husband (petitioner) had a fight with each other, as the petitioner wanted to sell their ancestral property. While the petitioner along with his sister and children, deceased Deepak Kumar and daughter Pinki Kumari had gone to see fair, on the way, there was some fight between the petitioner and his wife and the petitioner inflicted knife blow on his sister, deceased (Deepak Kumar) and daughter Pinki Kumari, as a result of



which, Deepak Kumar succumbed to the injuries.

Earlier bail application of the petitioner was rejected vide Cr. Misc. No. 26018 of 2017 under order dated 02.08.2017 vide Annexure-1 to the present application taking into account that the petitioner is the main assailant of the deceased.

A report was called for from the court below regarding the present stage of the case. It has been reported that only the informant has not adduced his evidence and the trial is expected to be concluded within a period of one month.

On behalf of the learned counsel for the State, it has been submitted that only the informant is to be examined.

Considering the nature of accusation and the stage of the case, I am not inclined to grant bail to the petitioner. The same is rejected in connection with Sessions Trial No. 29/2017, arising out of Srinagar P.S. Case No. 61 of 2016, pending in the court of learned Additional Sessions Judge-1st, Madhepura.

Learned court below is directed to take all necessary steps to conclude the trial preferably within a period of two months from the date of receipt/production of copy of this order.

U.K./-

**(Sudhir Singh, J)**

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