

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76818 of 2018

Arising Out of PS. Case No.-93 Year-2004 Thana- UDAKISHUNGANJ District- Madhepura

Ram Lagan Chaurasia Son of Late Sitaram Chaurasia @ Siyaram Chaurasia,
Resident of Village- Dotara, P.S.- Basnahi, District- Saharsa.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Dr. Sanjay Kumar Singh
For the Opposite Party/s : Mr.Sri Kumar Ranjit Ranjan

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

6 16-07-2019 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner seeks bail in a case registered under Section
302/34 of the Indian Penal Code and 27 of the Arms Act.

The prosecution case, in brief, is that on the date of
occurrence, the informant along with his two uncles was going
to Singarpur Musahari Tola from their house. In that proceeding,
when the informant's uncles reached in front of paddy field of
Maheshwar Mandal, 15-20 miscreants appeared and caught hold
both of them, took them towards southern direction of paddy
field and opened fire indiscriminately, as a result of which, both
of them succumbed to the injuries.

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 27-07-2018. Charge sheet has already been submitted. General and omnibus allegation has been made against the petitioner. No specific injury is attributed to the petitioner. There is no other substantive evidence to suggest the implication of the petitioner in the present case.

On behalf of the State, it is submitted that the petitioner is named in the Complaint Case/F.I.R. Against all the persons including the petitioner, there is allegation of indiscriminate firing. It is a case of double murder. The postmortem report also corroborates the allegation, made in the FIR. The petitioner has been absconding for last 15 years. Five prosecution witnesses have already been examined.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioner. Accordingly, prayer for bail of the petitioner in connection with Sessions Trial No. 16 of 2013 (S.-1) arising out of Udakishunganj P.S. Case No. 93 of 2004 is rejected.

The trial court is directed to expedite the trial and conclude the same as early as possible, preferably, within a period of nine months from the date of receipt/production of copy of this order.



Since the case is of the year 2004, the District Magistrate and the Superintendent of Police, Madhepura is directed to ensure the production of prosecution witnesses on the date fixed by the trial court, so that, the trial could be concluded within the stipulated period.

Let a copy of this order be communicated to the District Magistrate and the Superintendent of Police, Madhepura for needful.

(Sudhir Singh, J)

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