

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.677 of 2019

Arising Out of PS. Case No.-455 Year-2016 Thana- GOPALGANJ TOWN District-
Gopalganj

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Dipansu Kumar Shrivastava @ Dipansu Kumar @ Dipanshu @ Dipanshu Shrivastava S/o Late Pawan Shrivastava @ Late Pawan Kumar Resident of Ward No. 20, Manikpur, P.S.- Gopalganj, District- Gopalganj. At present resident of Sareya, Ward No. 5, behind Kailash Hotel, P.S.- Gopalganj, District- Gopalganj. Through his mother and natural guardian, Anu Kumari, aged about 45 years, wife of- Late Pawan Shrivastava @ Late Pawan Kumar, Resedent of Ward No. 20, Manikpur, P.S.- Gopalganj, District- Gopalganj. At present resident of Sareya, Ward No. 5, behind Kailash Hotel, P.S.- Gopalganj, District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Lokesh Kumar Singh
For the Respondent/s : Mr.Ganesh Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 22-08-2019 Heard learned counsel for the petitioner and learned
APP for the State.

This Criminal Revision has been preferred against the order dated 16.03.2019 passed by the Sessions Judge, Gopalganj in Criminal Appeal No.15 of 2019, whereby and where under the Sessions Judge, Gopalganj has affirmed the order dated 5.1.2019 passed by the Principal Magistrate, Juvenile Justice Board, Gopalganj in connection with J.E. No.64 of 2018 arising out of Gopalganj Town P.S. case No.455 of 2016, whereby learned Principal Magistrate, Juvenile Justice Board, Gopalganj



has rejected the prayer for bail of the petitioner in connection with Gopalganj Town P.S. case No.455 of 2016, registered under Sections 302, 120(B)/34 of I.P.C.

Prosecution case, in short, is that on 05.11.2016 at about 5.45 p.m. the informant received information that his brother was lying injured near Bihar Vikash Vidyalaya on the flank of road. He rushed there and found his brother Golden Kumar Dubey lying there. The informant took his brother to the Sadar Hospital, where in course of treatment he was declared dead.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 20.02.2017 and has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner is not named in the F.I.R. His name has come on disclosure made by co-accused.

On behalf of the State, it has been submitted that the petitioner is the main assailant, who is alleged to have inflicted knife blow in the abdomen of Golden Dubey, due to which the deceased died.

Considering the aforesaid facts and circumstances, I find no reason to interfere with the order dated 16.03.2019



passed by the Sessions Judge, Gopalganj in Criminal Appeal No.15 of 2019 and also the order dated 5.1.2019 passed by the Principal Magistrate, Juvenile Justice Board, Gopalganj in connection with J.E. No.64 of 2018 arising out of Gopalganj Town P.S. case No.455 of 2016.

The revision application stands dismissed.

The court below is directed to expedite the trial of the petitioner and conclude the same at the earliest preferably within a period of six months.

(Sudhir Singh, J)

Narendra/-

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