

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52202 of 2018

Arising Out of PS. Case No.-61 Year-2015 Thana- SAHIYARA District- Sitamarhi

Bhola Singh son of Late Jamun Singh, resident of Village- Jhalsi, P.S. Sahiyara, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimal Kumar
For the Opposite Party/s : Mr.Sri Pranav Kumar

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

5 03-04-2019 Heard.

The petitioner has renewed his prayer for grant of regular bail, which was earlier rejected by this Court by order dated 25.05.2016.

It transpires from the materials on record that earlier an FIR was registered as Sahiyara P.S. Case No. 86 of 2014, on the basis of the statement of one Dhirachand Singh alleging kidnapping of his brother Sanjay Kumar. In the said case, several persons were named for commission of the offence punishable under Section 364 of the IPC. It was, however, subsequently learnt that the said Sanjay Kumar had concealed himself and in collusion with his family members had got a false case registered. In course of raid, said Sanjay Kumar was apprehended.

Learned counsel, appearing on behalf of the petitioner, has stated that other accused persons, similarly circumstanced, have been allowed bail by orders dated



12.12.2017, passed in Cr. Misc. No. 46327 of 2017, 09.02.2018, passed in Cr. Misc. No. 6465 of 2018 and 11.02.2016, passed in Cr. Misc. No. 3866 of 2016.

However, in view of the nature of allegation that the petitioner was instrumental in getting a false case registered under Section 364 of the IPC, I am not inclined to re-consider the petitioner's prayer for bail.

This application is accordingly rejected.

Learned counsel, appearing on behalf of the petitioner, has submitted that the trial has commenced and only three witnesses have been examined.

While dismissing this application, it is observed that the Court expects the trial court to expedite S.T. No. 101 of 2016 and conclude it within a period of six months from today.

If the trial is not concluded within six months from today, the petitioner shall be at liberty to approach this Court, renewing his prayer for bail.

(Chakradhari Sharan Singh, J)

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