

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.76128 of 2018

Arising Out of PS. Case No.-48 Year-2012 Thana- DAWATH District- Rohtas

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Balmitra Kumar Son of Sumenshwar Singh Resident of Village- Kawai,
Police Station- Dawath, District- Rohtas at Sasaram.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raghunandan Kumar Singh

For the Opposite Party/s : Mr. Umanath Mishra

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 16-01-2019 Earlier the prayer for bail of the petitioner was rejected vide order dated 13.11.2017 passed in Cr. Misc. No. 50048 of 2017 and vide order dated 11.04.2018 passed in Cr. Misc. No. 18425 of 2018.

The petitioner seeks regular bail in connection with S. Tr. No. 263 of 2017 arising out of Dawath P.S. Case No. 48 of 2012, registered for the offences punishable under Sections 363, 365, 364, 302, 201/34 of the Indian Penal Code.

Allegation against the petitioner is of kidnapping the son of the informant and causing death to him. It further appears from perusal of record that skeleton was recovered from the place.

Submission of learned counsel for the petitioner is that the petitioner is in judicial custody for more than six years



and except confessional statement there is absolutely nothing against him.

Heard learned A.P.P. as well as learned counsel for the informant, they have opposed the prayer for bail of the petitioner stating that the petitioner was absconded from the police custody and later on he was arrested and after his statement skeleton of the deceased was recovered. It has also been submitted that two witnesses have been examined.

Having heard both sides, considering the facts and circumstances of the case, I am not inclined to grant bail to the petitioner, however considering the fact that the petitioner is in judicial custody since long, learned trial court is directed to expedite the trial and conduct it on regular basis and at the same time S.P. Sasaran, is directed to ensure the presence of witnesses in the trial Court on the date fixed so that the trial be concluded expeditiously.

Accordingly, this application is dismissed.

(Vinod Kumar Sinha, J)

Amjad/-

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