

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9157 of 2019

Arising Out of PS. Case No.-18 Year-2018 Thana- NIMACHANDPURA District- Begusarai

Prince Kumar, Son of Bharat Singh, Resident of village - Bandwar, P.S-
Neemachandpura, Dist.-Begusarai.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr.Shree Niwas Singh, Advocate.
For the Opposite Party	:	Mr.Aditya Narayan Singh.1, A.P.P.
For the Informant	:	Mr. Sandip Kumar Gautam, Advocate.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

5 29-04-2019 Heard learned counsels for the petitioner, informant
and learned A.P.P. for the State.

The petitioner is languishing in custody since
04.03.2018 in a case for the offence registered under Sections
302/34 of the IPC.

The prosecution story, in brief, is that on 02.03.2018,
the informant's younger deceased brother Hardeo Yadav went to
Gabbar Didyara for grass at where the petitioner and other
alongwith co-accused Monu Kumar, Gopal Kumar and Chandan
Kumar due to prior inimical terms conflicted the deceased and
murdered the deceased, where the informant by inflicting
assault by Iron rod and knife.

It has been submitted by learned counsel for the



petitioner that the petitioner has falsely been implicated in the present case. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. General and omnibus allegation has been alleged against the petitioner. No specific injury is said to have been attributed against the petitioner. The deceased is said to have been assaulted by knife and Iron rod. No deadly weapon is said to have been used in course of occurrence. No time of occurrence is being indicated by the prosecution for the reason best known to them, except the occurrence is said to have taken place in the evening.

On behalf of the learned counsels for the State and the informant, it has been submitted that the petitioner is named in the F.I.R. Altogether 12 injuries have been sustained by the deceased. Prayer for bail of other co-accused persons has been rejected by another Co-ordinate Bench of this Court vide Cr. Misc. No. 43016 of 2018 order dated 17.07.2018 and Cr. Misc. No. 42211 of 2018 order dated 01.10.2018.

Considering the nature of accusation, I am not inclined to grant bail to the petitioner. The same is rejected in connection with Neemachandpura P.S. Case No. 18 of 2018, pending in the court of learned Sub Judge-VII-cum-A.C.J.M.-V,



Begusarai.

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

The District Magistrate, Begusarai and the Superintendent of Police, Begusarai, are also directed to ensure that the prosecution witnesses are produced in the court below on the date fixed by the court below so that the trial could be concluded within the stipulated period.

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

(Sudhir Singh, J)

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