

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19749 of 2020

Arising Out of PS. Case No.-860 Year-2019 Thana- MASAUDHI District- Patna

Md. Afsar, Male, Aged about 21 Years, Son of Md. Jumman @ Md. Juman Malick Resident At Rahmatganj, Masaurhi, PO + P.S.- Masaurhi, District-Patna (Bihar) - 804452

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

with

CRIMINAL MISCELLANEOUS No. 20380 of 2020

Arising Out of PS. Case No.-860 Year-2019 Thana- MASAUDHI District- Patna

Sonu Kumar @ Sonu Yadav, aged about 23 years, Gender-Male, Son of Mantu Yadav @ Arvind Kumar Resident of Mohalla-Near Govt. Hospital, Gangachak, Malikana, P.S.-Masaurhi, District-Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

(In CRIMINAL MISCELLANEOUS No. 19749 of 2020)

For the Petitioner : Mr.Dayanand Singh, Advocate

For the Opposite Party : Mr.Anil Kumar, APP

(In CRIMINAL MISCELLANEOUS No. 20380 of 2020)

For the Petitioner : Mr. N.K. Agrawal, Sr. Advocate

Mr. Vijay Anand, APP

For the Opposite Party : Mr.Anil Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

5 12-10-2020 Heard learned counsel appearing on behalf of the
petitioners and learned counsel appearing on behalf of the State.

The petitioners are in custody in connection with
Masaurhi P.S. Case No. 860 of 2019 for the offence under
Sections 302 and 307 read with Section 34 of the Indian Penal



Code and Section 27 of the Arms Act.

In this case, case diary was called for vide order dated 19.06.2020.

Learned counsel appearing on behalf of the petitioner Md. Afsar would submit that at the relevant time, the petitioner was not at the spot which can be gathered from the footage of CCTV installed near his house.

Mr. N.K. Agrawal, learned senior counsel appearing on behalf of petitioner Sonu Kumar @ Sonu Yadav, would submit that the allegation levelled against the petitioner, as alleged in the FIR, is false and imaginary.

Considering the materials available on record, the Court is not inclined to grant bail to both the petitioners. The prayer for bail is rejected.

However, the trial court is directed to expedite the trial and conclude the same within a period of six months failing which the court below shall be obliged to release the petitioners on bail on appropriate terms and conditions after expiry of six months.

(Anil Kumar Upadhyay, J)

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