

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79537 of 2019

Arising Out of PS. Case No.-26 Year-2014 Thana- DINARA District- Rohtas

=====

Munna Pandey Son of Late Janardan Pandey, Resident of Village- Chotaka
More, P.S.- Sasaram (M), District- Rohtas. Petitioner/s

Versus

The State of Bihar Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Om Prakash Upadhyay

For the Opposite Party/s : Dr.Mrityunjaya Kr.Gautam

=====

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

5 05-12-2020 Heard Mr. Om Prakash Upadhyay, learned counsel for

the petitioner and Dr. Mrityunjaya Kumar Gautam, learned

counsel for the State through Video Conferencing.

In this case, the petitioner is seeking regular bail in
connection with Dinara P.S. Case No. 26 of 2014 registered for
offence punishable under section 302/34 of the Indian Penal Code
and section 27 of the Arms Act.

Two unknown dead body were found lying at village
Madhavpur Dih and later on, both were identified by the parents
and in the case diary, the father and mother with respect to late
Virendra Choudhary have stated that in the morning at 8 O' clock,
Munna (petitioner) and Vakil Choudhary both came on motor
cycle, asked Virendra Choudhary to go along with them, after
some time it transpired that Virendra Choudhary was killed. In a
similar way, mother and sister of another victim Nilu Nut stated
that he was engaged in selling and purchasing of the animal and



he was carried away by the present petitioner. The present petitioner and Vakil Choudhary came and took the victim to deal with with respect to sale and purchase of the animal. This has been reinstated by the other witnesses in paragraphs 40, 41 and 42 of the case diary and all of them have stated that the present petitioner and other co-accused took away both the victim and later on, they were found dead.

Learned counsel for the petitioner submits that other similarly situated person Vakil Choudhary has been granted regular bail by a Coordinate Bench of this Court in Cr. Misc. No. 3500 of 2015, but from the case diary it appears that there is a direct allegation against the present petitioner to have taken away both the victim and later on, they were found dead.

In such view of the matter, this Court does not find any merit in the present case and accordingly the prayer for bail of the petitioner is dismissed with a direction to the court below to expedite the trial and conclude the same within one year from the date when the normal court proceeding would start. If the trial is not concluded by the aforesaid period, the petitioner will have liberty to renew his prayer for bail.

(Shivaji Pandey, J)

Mahesh/-

U		T	
---	--	---	--

