

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31379 of 2020

Arising Out of PS. Case No.-10 Year-2020 Thana- BHAWANIPUR District- Purnia

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ARUN SHARMA Son of Late Mahto Sharma @ Maharathi Sharma
Resident of Village - Baliya Ashram Tola, P.S. - Bhawanipur (Baliya O.P.),
District - Purnea.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s	:	Mr.Ram Prawesh Kumar, Adv.
For the Opposite Party/s	:	Mr. Ram Priya Sharan Singh, APP
For the Informant	:	Mr. Bijendra Kumar Singh, Adv.

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

4 19-02-2021 Heard Mr. Ram Prawesh Kumar, learned counsel

for the petitioner and Mr. Bijendra Kumar Singh, learned

counsel for the informant. The State is represented by Mr.

Ram Priya Sharan Singh, learned APP.

The petitioner seeks bail in connection with

Bhawanipur P.S. Case No.10 of 2020 instituted for the

offences under Sections 147, 148, 149, 447, 452, 341,

342, 324, 302 and 120(B) of the Indian Penal Code.

The petitioner along with many others are said to

have entered into the house of the informant and tied the

inmates of the house and gagged the mother of the



informant. Later, the mother of the informant was found dead because of several stab injuries.

Learned counsel for the petitioner has submitted that there is no specific accusation against the petitioner and his implication in this case only because of past enmity. He further submits that from the narration of events in the First Information Report, it becomes very clear that the informant is not an eye-witness to the occurrence. Learned counsel for the petitioner has also submitted that one of the accused persons of this case has been refused anticipatory bail, whereas, another has been granted anticipatory bail by a Bench of this Court.

The petitioner is in custody since 20.05.2020.

On 27.01.2021, this Court had called for a report about the stage of the case from the court below. The report indicates that out of eight charge-sheet witnesses, one witness has been examined and the date has been fixed for another evidence.

Considering the nature of accusation against the petitioner in the First Information Report, the entire



circumstances of the case and the stage of trial, the prayer for bail of the petitioner is rejected for the present.

However, the Trial Court is directed to expedite and conclude the trial within a period of one year. In case there is no substantial progress in the case within next nine months, it would be open for the petitioner to approach the Trial Court for grant of bail and in that event the Trial Court would state the reasons for tardy pace of the trial.

(Ashutosh Kumar, J)

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