

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37685 of 2020

Arising Out of PS. Case No.-71 Year-2019 Thana- BHARGAMA District- Araria

MANOJ DAS S/o Binhay Das @ Binay Das, Resident of Village-Naya Bhargama, Police Station-Bhargama, District-Araria.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Rana, Adv.

For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 22-01-2021 Heard both sides.

Petitioner seeks bail in Bhargama P.S. Case No.71 of 2019 registered under Sections 302, 120B and 34 of the IPC.

Learned counsel for the petitioner submits that 15 persons are named in the F.I.R. and there is omnibus and general allegation of assault against all the accused persons but only five injures were found on the person of the deceased. It appears that the deceased had love affairs with the daughter of the petitioner and it was the petitioner, who called the deceased at his house and thereafter the petitioner and others tied the deceased in a pole and they all indiscriminately assaulted the deceased. The informant tried to intervene in order to save the deceased but the petitioner and others continued to assault the son of the informant.



Taking into consideration the facts aforesaid and the nature of allegation made against the petitioner, I am not inclined to enlarge the petitioner on bail. Accordingly, the same is rejected.

Since the petitioner is in jail for more than one year and nine months, the trial court is directed to hold the trial on day to day basis and conclude the same within seven months from the date of receipt of this order. If the trial is not concluded within seven months, the petitioner may renew his prayer for bail.

The S.P., Araria is directed to ensure the attendance of prosecution witnesses in the court so that the trial must be concluded within seven months.

Let a copy of this order be sent to the trial court as well as the S.P., Araria for information and needful.

(Prabhat Kumar Jha, J)

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