

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34088 of 2020

Arising Out of PS. Case No.-1108 Year-2019 Thana- HAJIPUR District- Vaishali

MEGHNATH RAI @ JHAPSI RAI Son of Late Jagdish Ray Resident of
Village- Rajsan, P.S.- Bidupur, District- Vaishali.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Singh,Advocate
For the Opposite Party/s : Mr.Md.Fahimuddin,APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

5 29-01-2021 Heard learned counsel for the petitioner and Mr. Md.
Fahimuddin, learned APP for the State.

The petitioner in the present case is seeking regular bail in connection with Hajipur P.S. Case No. 1108 of 2019 registered for the offence punishable under Sections 302, 201, 34 of the Indian Penal Code and Section 27 of the Arms Act.

Learned counsel for the petitioner submits that the informant in his fardbeyan alleged that on the alleged date of occurrence while his son Ranjan Kumar was going to Hajipur through his Apache Motorcycle, in the way he was found talking with accused persons named in the FIR and at that time one co-villager of the informant namely Jay Prakash Rai arrived there and he asked Ranjan Kumar as to why he is standing there, then he told that the accused persons have prevented him and they are asking him to go to Hajipur along with them. It is alleged



that the informant's son did not return thereafter and in the evening he got information that dead body of Ranjan Kumar has been found under Hajipur Town Police Station area.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. It is submitted that the informant's son was working with one Raja Kumar and said Raja Kumar kidnapped minor daughter of the petitioner for which the petitioner lodged a case against him and others. It is further submitted that there is no eye-witness to the alleged occurrence and the petitioner is in custody since 14.12.2019.

Learned APP for the State has opposed the prayer for regular bail of the petitioner.

Having regard to the facts and circumstances of the case and the materials showing that the motorcycle of the deceased was recovered from the house of this petitioner and the witness in paragraph '32' of the case diary has also supported the prosecution case, this Court is not inclined to grant privilege of regular bail to the petitioner. The prayer for regular bail of the petitioner is, thus, refused.

Let the trial be expedited.

Learned trial court shall proceed with the trial without



granting unnecessary adjournments, shorter time shall be fixed and all efforts be made to conclude the trial within a period of 9 months from today. If the learned trial court is unable to conclude the trial within the said period for no reason attributable to the petitioner, the petitioner may renew his prayer for regular bail.

The application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

