

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37731 of 2020

Arising Out of PS. Case No.-72 Year-2020 Thana- RAMGARHWA District- East Champaran

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1. Shekh Bhola @ SK. Bhola, aged about 38 years, male, Son of Late Shekh Sahid
 2. Md. Tabrej Alam, aged about 18 years, male, Son of Shekh Manan
- Both are resident of Village- Belaspur, Ward No. 12, P.S.- Ramgarhwa,
District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh, Adv.

For the Opposite Party/s : Md. Aslam Ansari, APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

3 25-03-2021 Heard Mr. Ajay Kumar Singh, learned counsel for

the petitioners and Md. Aslam Ansari, learned APP for the

State.

The petitioners seek bail in connection with

Ramgarhwa P.S. Case No. 72 of 2020, dated 14.04.2020,

instituted for the offences under Sections 147, 148, 149,

504, 302, 188, 269, 270 and 271 of the Indian Penal



Code, Section 3 of the Epidemic Disease Act, 1897 and Section 51 of the Disaster Management Act, 2005.

It has been alleged in the F.I.R. that the petitioners and others had assaulted the father of the informant as a result of which he died.

The learned counsel for the petitioners has submitted that there is general and omnibus allegation against all the accused persons including the petitioners. Even the *ante-mortem* injuries suffered by the deceased do not reflect that he was assaulted brutally. Apart from this, it has been submitted that the occurrence arose out of a small issue and, therefore, there could not have been any intention on the part of the petitioners to have caused death.

However, considering the fact that the petitioners are assailants of the deceased, I am not inclined to grant them bail for the present.

The prayer for grant of bail of the petitioners is, accordingly, rejected.

This Court directs that the trial of the petitioners



be expedited and concluded without any delay.

If there is no substantial progress in the trial in the next six months and which delay would not be attributable to the petitioners, they would be at liberty to approach the Trial Court for grant of bail and in that event, the Trial Court would be required to state reasons for non-conclusion of the trial within the aforesaid period.

The application stands disposed off accordingly.

(Ashutosh Kumar, J)

Praveen-II/-

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