

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3167 of 2015

Arising Out of PS.Case No. -568 Year- 2013 Thana -GOPALGANJ CITY District- GOPALGANJ

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1. Maya Bhagat Son of Dukh Haran Bhagat Resident of vill-Shukul Dumar,
P.S.-Bhorey, Distt.-Gopalganj

.... Petitioner/s

Versus

1. The State of Bihar
2. Brij Kishore Son of Subash Bhagat Resident of vill-Shukul Dumar,P.s-
Bhorey,Distt.-Gopalganj

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Pandey No-5, Advocate.

For the Opposite Party/s : Mr. Jitendra Kr.Singh 1(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 09-04-2015 Heard both sides.

The petitioner seeks bail in Gopalganj Town P.S. Case
No. 568 of 2013, registered for the offences punishable under
Section 302 and other Sections of the Indian Penal Code.

Allegation against the petitioner is that his son caught
the deceased and the petitioner fired.

Learned counsel for the petitioner submits that the
informant disclosed that he came to know about the occurrence
from one Lal Babu Singh. Lal Babu Singh in his statement in para-
21 of the case diary has stated that he heard sound of firing and
saw the petitioner and his son were fleeing away. The eye
witnesses have not seen the occurrence.

Earlier the petitioner lodged Bhorey P.S. Case No. 133 of 2013 and alleged that the deceased had killed Suman Kumari. The petitioner has got no motive. There appears that there is enmity between the parties. Lal Babu Singh has stated that he saw the petitioner and other fleeing way after hearing sound of firing. There is very specific allegation that Raja Babu caught hold the father of the informant and petitioner fired at him. The father of the informant died.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner above named on bail. Accordingly, the same is rejected.

The trial court is directed to expedite the trial and conclude the same within 1½ years from the date of receipt/production of a copy of this order.

(Prabhat Kumar Jha, J.)

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