

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42454 of 2014

Arising Out of PS.Case No. -19 Year- 2011 Thana -PIYAR District- MUZAFFARPUR

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Niranjan Kumar @ Niranjan Kumar Pathak S/o Vinod Pathak Resident of
Village - Tapari, P.S. Piar, District - Muzaffarpur

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Raj Bansh Dubey, Advocate

For the Opposite Party : APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 16-02-2015

Heard both sides.

Petitioner, Niranjan Kumar @ Niranjan Kumar Pathak, seeks bail in Piar P.S. Case No.19 of 2011, registered for the offences punishable under Sections 394 and 302 of the Indian Penal Code and Section 27 of the Arms Act corresponding to Sessions Trial No.620 of 2014.

Learned counsel for the petitioner submits that the petitioner is not named in the first information report. Nothing has been recovered from the possession of the petitioner. Petitioner was not even put on test identification parade. Charges have already been framed. It is further submitted that the case of the co-accused has already been separated and some witnesses have already been examined.

On perusal of the record it appears that the occurrence

is of 17.03.2011 but the witnesses, namely, Ram Pravesh Paswan, Basant Kumar, Munna Sahani, Sachindra Mahto and Rajendra Sahani have stated that at the time of occurrence, petitioner and Bunti went there and immediately thereafter they heard the sound of firing.

Considering the facts and nature of allegations against the petitioner, I am not inclined to grant bail to the petitioner. Accordingly, the same is rejected.

The trial court is directed to expedite the trial and conclude the same within six months from the date of receipt of a copy of this order. If the trial is not concluded within six months, petitioner may renew his prayer for bail firstly before the trial court.

(Prabhat Kumar Jha, J)

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