

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.36197 of 2015

Arising out of PS.Case No. -80 Year- 2014 Thana -HALSI District- LAKHISARAI

Ranjeet Vishwakarma, Son of Bundi Mistry, resident of village - Premdiha,
Police Station - Halsi, District – Lakhisarai.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Gautam Kumar Yadav, Advocate.

For the Opposite Party : Mr. M.Haque (App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 06-10-2015 Heard learned counsels for the petitioner, informant and
learned counsel for the State

The petitioner is languishing in custody since 27.07.2014
in connection with Halsi P.S. Case No. 80 of 2014 for the
offences instituted under Sections 302/34 of the IPC and 27 of the
Arms Act.

The prosecution story, in brief, is that the father of the
informant, namely, Kameshwar Prasad Yadav was talking with his
brother and others, in the meantime, accused/petitioner fired at
Kameshwar Prasad Yadav father of the informant. The co-accused
Dharmveer Vishwakarma fired at Kameshwar Prasad Yadav father
of the informant. Three unknown miscreants were also with the
accused/petitioner. They also fired there. The father of the

informant died on the spot.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 27.07.2014 and the charge sheet has been submitted in the case. There is no allegation of tampering with the evidence against the petitioner. The petitioner has falsely been implicated in the present case due to land dispute between the parties.

On behalf of the learned counsels for the informant and the State it has been submitted that the petitioner is the main assailant and there is direct allegation of firing against the petitioner causing injury on the head of the deceased. The said fact is corroborated from the postmortem report.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioner. The same is rejected in Halsi P.S. Case No. 80/2014, pending in the court of the learned J.M. Ist Class, Lakhisarai. Anyhow, the Trial Court is directed to take all the necessary steps to expedite the trial and conclude the same preferably within a period of one year from the date of receipt/production of copy of this order.

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(Sudhir Singh, J)