

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37301 of 2015

Arising Out of PS.Case No. -129 Year- 2015 Thana -ITADHI District- BUXAR

Sanjay Pandey, son of Sri Ram Bachan Pandey, resident of village
Dugarpura, P.S.- Ramgarh, District- Kaimur Bhabhua.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Dharmendra Kumar Singh

For the Opposite Party : Mr. Mustaque Alam(App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 07-10-2015 Heard the counsel for the petitioner and counsel for the
State.

The petitioner is languishing in jail since 26.05.2015 in
a case instituted under Sections 302,323 and 304/34 of the Indian
Penal Code and Sections 25(1-B)a, 26 and 27 of the Arms Act in
connection with Itarhi P.S.Case No.129 of 2015 pending in the
Court of CJM, Buxar.

As per allegation, it is a case of murder of informant's
son, namely, Dinesh Yadav, who is aged about 20 years by the
accused persons in the Barat ceremony.

It has been submitted on behalf of the petitioner that
the petitioner is in custody since 26.05.2015. Chargesheet has
been submitted in the case. Petitioner has got no criminal

antecedent. It has been submitted that in the celebration of marriage, an accidental firing had taken place due to which the deceased succumbed to the injury which is evident from paras-93 and 94 of the case diary.

On behalf of the State, it has been submitted that the petitioner is named in the FIR and as per the FIR, he is the main assailant of the deceased.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the above named petitioner, same is dismissed.

Anyhow the court below is directed to commit the case to the Court of Sessions within a period of two months and preferably conclude the trial within the period of another four months from the date of receipt/production of a copy of this order.

(Sudhir Singh, J)

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