

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49372 of 2014

Arising Out of PS.Case No. -442 Year- 2014 Thana -SASARAM NAGAR District- SASARAM
(ROHTAS)

Harendra Singh, Son of Sri Shiv Muni Singh, Resident of Village - Karwar,
P.S. - Karaghar, District - Rohtas.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashutosh Ranjan Pandey, Advocate
For the Opposite Party/s : Mr. Hirday Pd.Singh(APP)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 14-07-2015 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is in custody in a case registered under
Sections 302, 379 and 120B of the Indian Penal Code and
Section 27 of the Arms Act.

The prosecution case, in brief, is that the informant
Chandrawati Devi gave statement before the police on
25.5.2014 at 3.00 A.M. alleging therein that in the night at
10.00 P.M. she along with her husband and their daughters were
sleeping on the roof of her house. At 1.30 A.M., she woke up on
hearing the sound of shouting and saw that Harendra Singh,
Ramesh Singh and Dhiraj Kumar @ Aman Kumar had caught
hold of her husband. On the order of Ramesh Singh, Harendra



Singh made firing from country made pistol on the Kanpatti of her husband and thereafter they got her husband brought down. As per allegation, by that time her husband was conscious. It was further alleged that when he was brought down Aditya Singh told that he was still alive and thereupon Ramesh took country made pistol from Harendra and made firing, as a result of which her husband died. Thereafter the miscreants fled away. According to the informant, the cause of occurrence was land dispute between the parties.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 11.8.2014 and the charge sheet has already been submitted in the case. It is further submitted that the allegation of firing is against the petitioner and other co-accused Ramesh Singh. Post-mortem examination report suggests that there is only one firearm injury.

On behalf of the State and the informant, it has been submitted that there is direct allegation against the petitioner for making firing upon the deceased.

Considering the aforesaid facts and circumstances, the court below is directed to conclude the trial within a period of four months, failing which the petitioner, above named, shall be released on bail on furnishing bail bond of Rs.10,000/- (Ten

thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Rohtas at Sasaram, in connection with Sasaram Model Town P.S. Case No.442 of 2014.

(Sudhir Singh, J)

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