

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4215 of 2015

Arising Out of PS.Case No. -46 Year- 2014 Thana -GAYA GRP CASE District- GAYA

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1. Mokshi Sharma @ Bijendra Sharma S/O Late Krishna Sharma Resident
of vill-Bansa,P.S-Sasaram(M),Distt.-Rohtas at Sasaram(Bihar)

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Krishna Pd. Singh, Advocate.

For the Opposite Party/s : Mr. Amitesh Kumar(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

4 31-03-2015 Heard both sides.

The petitioner seeks bail in Rail Sasaram (G.R.P.) P.S.
Case No. 46 of 2014, registered for the offences punishable under
Sections 307 and 34 of the Indian Penal Code and under Section
27 of the Arms Act. Allegation against the petitioner is that he
fired on the neck of the son of the informant.

Shri Krishna Pd. Singh learned counsel for the
petitioner submits that the informant is not an eye witness of the
occurrence. The informant came to know about the occurrence
from his son Anuj Kumar the injured. Anuj Kumar made his
statement in para-65 of the case diary and altogether gave a
different story that extortion was demanded. The petitioner is in
jail for last eight months.

It appears that there is very specific allegation against the petitioner that he fired which hit on the neck of the son of the informant. The injured got grievous injury caused by firearm. Other witnesses have also stated the same facts.

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 six months from the date of receipt/production of a copy of this order and if the trial is not concluded within the stipulated period the petitioner may renew his prayer for bail firstly in the trial court.

(Prabhat Kumar Jha, J.)

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