

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14705 of 2015

Arising Out of PS.Case No. -238 Year- 2012 Thana -BRAHMPUR District- BUXAR

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Pinku Singh Son of Harendra Singh, resident of village- Raghunathpur,
P.S.- Bramhpur, District- Buxar

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bachan Jee Ojha, Advocate

For the Opposite Party/s : Mr. Bharat Bhushan, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 28-05-2015

Heard the parties.

The petitioner seeks bail in a criminal prosecution registered under Section 302/34 of the Indian Penal Code as also under Section 27 of the Arms Act.

Taking into consideration the fact that the petitioner is the main assailant and he is alleged to have fired upon the temple of the deceased, as a result of which deceased died instantaneously on the spot, this Court is not inclined to accede to the prayer made on behalf of the petitioner for grant of bail. Accordingly, his prayer for bail in connection with Sessions Trial No. 182 of 2013 arising out of Bramhpur P.S.Case No. 238 of 2012 pending in the court of learned Additional Sessions Judge II, Buxar is rejected.

However, the learned counsel for the petitioner submits that the petitioner is in judicial custody since 25.08.2012 and the trial of the petitioner is already going on. In that view of the matter, learned trial court is directed to make all endeavours to conclude the trial of the petitioner at an early date preferably within a period of nine months from the date of receipt/production

of a copy of this order. The petitioner shall be at liberty to raise the issue of unsoundness of mind of the petitioner at the time of alleged occurrence before the learned trial court. If the trial of the petitioner is not concluded, without there being any fault on the part of the petitioner, within the aforesaid period of nine months, then he shall be at liberty to renew his prayer for bail.

(Birendra Prasad Verma, J)

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