

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.38445 of 2015

Arising Out of PS.Case No. -5 Year- 2013 Thana -ASARGANJ District- MUNGER

Nimesh Kumar, Son of Praveen Sah @ Vedi Lal, Resident of Village -
Makwa, P.s. - Asarganj, District - Munger.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Arvind Kumar Singh, Advocate

For the Opposite Party/s : Ms. Indu Kumari Srivastava, APP

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL ORDER

2 19-08-2015

Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in Sessions Trial No.367 of
2013 arising out of Asarganj P.S. Case No. 5 of 2013 registered
under Sections 302 read with 34 of the Indian Penal Code and
27 of the Arms Act.

The prayer for bail of the petitioner was earlier
rejected by this Court vide order dated 20.03.2014 passed in Cr.
Misc. No. 49002 of 2013.

From perusal of the impugned order dated
15.06.2015 passed by the learned Adhoc Additional Sessions

Judge-8th, Munger, it would appear that the trial of the case is in progress and two prosecution witnesses have already been examined.

According to the prosecution case, the petitioner is said to have opened fire causing injury to the son of the informant as a result of which, he died.

Regard being had to the serious nature of allegation as also advanced stage of the trial, I am not inclined to grant bail to the petitioner. Accordingly, the prayer for bail is rejected.

The court below is directed to expedite the trial and conclude the same as early as possible preferably within one year from the date of receipt/production of a copy of the order.

(Ashwani Kumar Singh, J.)

Sanjeet/-

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