

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41729 of 2014

Arising Out of PS.Case No. -406 Year- 2014 Thana -SHASTRINAGAR District- PATNA

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1. Darmadev Kumar S/o Sri Ram Bilash Mahto Resident of Village Jai Nagar, P.S. Sonevarsha, District Sitamarhi, Presently residing at Shastri Nagar, Sarkari Awas - 368/800, P.S. Shastri Nagar, District Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Sinha

For the Opposite Party/s : Mr. Ashraf Ansari(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

4 06-02-2015

Heard both sides.

The petitioner seeks bail in Castro Nagar P.S.
Case No. 406 of 2014 registered under section 307 of the Indian
Penal Code and 27 of the Arms Act.

According to the prosecution case the brother of
the petitioner alleged that petitioner was keeping well. The
informant and others were taking him on an auto for treatment but
the petitioner came out from the auto and made indiscriminate
firing in which Rajesh and Bipul got firearm injury.

Learned counsel for the petitioner submits that
the petitioner is not well and he is mentally abnormal. He has
earlier treated in Mental Hospital Ranchi. The firing was not

intention.

Learned A.P.P. opposed the prayer for bail. On perusal of the record it appears that the petitioner fired seven shots indiscriminately in which Bipul and Rajesh got firearm injury on right shoulder and leg and chest.

Considering the fact that the petitioner made indiscriminate firing which hit on the vital part of the two persons, I am not inclined to enlarge the petitioner on Bail. The same is rejected. The trial court is directed to expedite the trial within nine months from the date of receipt/production of a copy of this order. 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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