

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32097 of 2015

Arising Out of PS.Case No. -7 Year- 2014 Thana -PHULWARIA District- BEGUSARAI

Vinod Choudhary Son of Ram Sevak Choudhary, resident of village -
Sokahara - 2, P.S. - Phulwaria, District - Begusarai.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance:

For the Petitioner/s : Mr. Bishweshwar Ram

For the Opposite Party/s : Mr. Hirday Pd. Singh (App)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 23-09-2015

Heard both sides

The petitioner seeks bail in a case under Section 302
and other sections of the Indian Penal Code and Section 27 of the
Arms Act.

The informant, widow of the deceased, alleged that
while she along with her husband and others were talking, Vinod
Chaudhary, Saroj Chaudhary, Sanjeev Kumar @ Lulha, Rajeev
Yadav and three unknown persons came and Vinod Chaudhary
fired on the chest of her husband and her husband died. It is
submitted that the petitioner is the neighbour and co-sharer of the
deceased. The petitioner has falsely been implicated in the case.
No blood was found from the place of occurrence. Even the pellet
was not recovered from the body of the deceased. The petitioner is
in jail since 16.02.2014 but charges have not yet been framed.

Having considered the fact that there is very specific allegation that it was the petitioner, who fired on the chest of the husband of the informant and the husband of the informant died, I am not inclined to enlarge the petitioner on bail in Phulwaria P.S. Case No. 07 of 2014. Accordingly, the same is rejected.

The trial court is directed to expedite the trial and conclude the same preferably within one year from the date of receipt / production of this order.

(Prabhat Kumar Jha, J)

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