

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.48871 of 2015

Arising Out of PS.Case No. -67 Year- 2014 Thana -CHAURI District- BHOJPUR

1. Pankaj Kumar @ Pankaj Singh S/o Hazari Singh, Resident of Village - Bahuwara, P.S. - Chauri, District - Bhojpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajani Ranjan Pd. Singh

For the Opposite Party/s : Mr. Smt.Pushpa Sinha - 2 (App)

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 04-12-2015 Heard learned counsel for the petitioner and learned APP for the State.

The petitioner seeks bail in connection with Chauri P. S. Case No. 67/2014 registered for the offences under section 307/34, 302 and 27 of the Arms Act.

Allegedly, the informant and Arvind Pandey proceeded from Mopati bazaar and as soon as they reached between Bahuara and Amharua, two persons stopped and abused them and one person opened fire, which hit on the head of Arvind Pandey and further fired upon the informant, which was missed.

Submission is of false implication and Arvind Pandey never regained his sense and only with a view to take

revenge, the petitioner has been implicated in this case and he is suffering in custody since 20.08.2015.

Learned A.P.P. duly assisted by the learned counsel for the informant opposes the prayer for bail by submitting that from paras 52, 53, 54 and 56 of the case diary it appears that the name of the petitioner has come as an assailant in oral dying declaration.

In the facts and circumstances as stated above, considering that the name of the petitioner has been taken by the deceased before his death to his father and other witnesses and as such this Court is not inclined to grant bail to the petitioner.

Accordingly, the bail application stands rejected.

However, it is directed to conclude the trial within six months failing which the petitioner may be at liberty to renew his prayer of bail.

(Jitendra Mohan Sharma, J)

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