

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29117 of 2015

Arising Out of PS.Case No. -473 Year- 2014 Thana -BHABHUA District- BHABHUA (KAIMUR)

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1. Jitendra Kumar Singh @ Jitendra Pratap Singh S/o Late Satendra Pratap Singh Resident of Village Kanta, P.S. Saidraja, District Chandauli (U.P.).

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan

For the Opposite Party/s : Mr. Anuj Kumar Srivastava (App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 27-10-2015 Heard the learned counsel for the petitioner, the learned A.P.P as also the learned counsel for the informant.

The petitioner seeks bail in a case for the offences punishable under sections 147, 148, 149, 323, 325, 379 and 307 of the I.P.C and section 27 of the Arms Act.

The allegation against the petitioner is that he shot the informant from his pistol causing fire arm injury on his right jaw and thereafter other co-accused also opened fire and further co-accused snatched licensee pistol and when brother of the informant and others came the petitioner and others fled away.

Submission is of false implication and that there is no allegation that the petitioner repeated the firing. There is land dispute as title suit is going on between the parties. The petitioner

is in custody since 1st June, 2015. Charge sheet has already been submitted and there is no chance of tampering with the prosecution evidence. Other co-accused have been allowed pre-arrest bail and as such the petitioner deserves sympathetic consideration, to which the learned A.P.P. duly assisted by the learned counsel for the informant opposes prayer for bail by submitting that the informant was luckily saved and against the petitioner there is specific allegation for causing fire arm injury on his right jaw which has also been found by the doctor.

In the facts and circumstances as stated above, at this stage this Court is not inclined to enlarge the petitioner on bail and accordingly his such prayer stands rejected in connection with Bhabua P.S. Case No. 473 of 2014/ G.R. No. 2004 of 2014 pending in the Court of C.J.M. Kaimur at Bhabua.

However, the trial court is directed to expedite the trial and to conclude the same preferably within six months failing which the petitioner may be at liberty to renew his prayer for bail.

(Jitendra Mohan Sharma, J)

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