

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22086 of 2015

Arising Out of PS.Case No. -141 Year- 2014 Thana -HILSA District- NALANDA
(BIHARSHARIFF)

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1. Raj Kumar Pandey @ Karu Pandey son of Sachhita Pandey R/o Village-
Chamarbigha, P.S.- Hilsa, District- Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Chaudhary

For the Opposite Party/s : Mr. Ram Shankar Das(Spl.P.P.)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 16-07-2015 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Petitioner seeks bail in a case registered under sections
302 of the Indian Penal Code and 27 of the Arms Act and section 3(1)(x) of
the SC/ST Act.

The prosecution story in brief is that on the occasion of
marriage of Dharamveer Pandey the informant and his other nine associates
were playing band in front of the house of one Bhushan Prasad as there was
no proper space in front of house of Dharamveer Pandey and in the meantime
the informant heard a sound of gun shot firing and the people assembled
there started fleeing away and the informant notice one of his band party
associate lying on the ground having firearm injury on his back and one
person was seen fleeing away having firearm in his hand who was identified
by the persons as the petitioner namely Raj Kumar Pandey @ Karu Pandey
and the injured subsequently died during the course of treatment.

On behalf of the petitioner it has been submitted that the informant is not an eye witness to the occurrence and the name of the petitioner has come on the statement of other co-villagers. It is further submitted that the petitioner is in custody since 20.05.2014 and charge sheet has been submitted in the case and trial is in progress.

On behalf of the State it has been submitted that the present case is at the stage of trial hence bail of the petitioner may not be considered.

Considering the aforesaid facts and circumstances I am not inclined to grant bail to the petitioner. The same is rejected. However, the trial court is directed to conclude the trial within a period of six months from the date of receipt/production of a copy of this order. It has been submitted at the bar that five witnesses have already been examined. If the trial is not concluded within six months, the petitioner will be at liberty to renew his prayer for bail.

(Sudhir Singh, J)

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