

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.23699 of 2016

Arising Out of PS.Case No. -61 Year- 1999 Thana -BIHRA District- SAHARSA

Pappu Deo, son of Durga Nand Deo, resident of village + P.O.+ Bihra, P.S.-
Bihra, District- Saharsa.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Pramod Mishra, Advocate.

For the Opposite Party : Mr. Akhileshwar Dayal (App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

6 06-09-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is languishing in custody since 26.02.2014
in connection with Sessions Trial No. 74 of 2014, arising out of
Bihra P.S. Case No. 61 of 1999 for the offences instituted under
Sections 147, 148, 149, 341, 323, 302 of the IPC and 27 of the
Arms Act.

The prosecution story, in brief, is that while the
informant alongwith his uncle coming from Patori Bazar on
23.10.1999, this petitioner and others surrounded and assaulted to
the informant's uncle. On protest, co-accused Bipin Pandey
caused fire arm injury upon him. When he tried to flee away then
this petitioner and others open firing indiscriminately as a result of

which he fell down after receiving injury and died.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 26.02.2014 and the charge sheet has been submitted in the present case. There is no allegation of tampering of the witnesses alleged against the petitioner. The main allegation is against co-accused, namely, Amarjeet Roy. The petitioner is said to have caught hold of the deceased at the time of occurrence. No injury has been attributed against the petitioner.

On behalf of the State, it has been submitted that the petitioner is named in the F.I.R. He has actively participated in the alleged occurrence and he is involved as many as in 21 cases of similar nature.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioner. The same is rejected in Sessions Trial No. 74 of 2014, arising out of Bihra P.S. Case No. 61 of 1999, pending in the court of the learned 1st Additional Sessions Judge, Saharsa. The court below is directed to take all necessary steps to expedite the trial.

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(Sudhir Singh, J)