

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10545 of 2016

Arising Out of PS.Case No. -15 Year- 2015 Thana -GARHPURA District- BEGUSARAI

1. Ashutosh Kumar @ Lalo Rai Son of Mohan Rai resident of Village -
Musepur, P.S. - Gadhpura, District - Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar

For the Opposite Party/s Mr. Kumar Ranjit Ranjan (App)

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

02/ 04.03.2016

Heard learned counsel for the petitioner as well as learned
Addl. Public Prosecutor for the State.

Petitioner seeks bail in a case registered under section 307
and other allied sections of the Indian Penal Code as well as sections
25 (I-B)a, 26, 27 of the Arms Act.

Petitioner is named in the first information report and
admittedly, he has not taken active part in the alleged occurrence but
from perusal of the first information report it would appear that at the
time of alleged occurrence, other FIR named accused disclosed reason
for the alleged occurrence and stated that the informant's nephew had
deposed against the petitioner and that was the reason they committed
the alleged crime.

Petitioner does have criminal antecedent of near about 12
cases and there is allegation that at his instigation other accused
demanded extortion money and opened fire causing injury to one

person.

Considering the aforesaid facts and circumstances as well as submissions of the parties, I am not inclined to release the petitioner on bail and accordingly, his prayer for bail in connection with Garhpura P.S. Case no. 15/2015 corresponding to Sessions Trial no. 462/2015 pending in the court of Addl. Sessions Judge II, Begusarai stands rejected.

However, the learned trial court is directed to expedite the trial of the petitioner and try to conclude the same as early as possible.

Let a copy of this order be sent to Superintendent of Police, Begusarai with direction to him to ensure the production of prosecution witnesses before trial court under proper security.

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(Hemant Kumar Srivastava,J)

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