

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51899 of 2015

Arising Out of PS.Case No. -36 Year- 2012 Thana -BHADAUR District- PATNA

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1. Pappu Singh @ Madhura Singh son of Jai Ram Singh, Resident of
village- Baruna, P.S.- Bhadaur, District- Patna

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajit Kumar Ojha

For the Opposite Party/s : Mr. Nityanand(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

4 07-09-2016 Heard learned counsel for the petitioner as well as

learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 302, 307/34 of the Indian
Penal Code.

The trial court has reported that case of the petitioner
is still pending for appearance of other accused, namely,
Raghunath Singh, who is absconding since long.

Petitioner and co-accused, Raghunath Singh are said
to have opened fire causing firearm injury to informant, who later
on died in course of his treatment. The post mortem report goes to
show that three injuries were found on the person of the deceased
and out of the aforesaid three injuries, two injuries are said to be

wound of entry whereas one injury is said to be wound of exit and, therefore, the allegation levelled against the petitioner prima facie finds corroboration from the post mortem report.

Considering the aforesaid facts and circumstances as well as submissions of the parties, I am not inclined to release the petitioner on bail and hence, his prayer for bail in connection with Bhadaur P.S. Case No. 36 of 2012 pending in the court of Sri Deepak Kumar, Judicial Magistrate 1st Class, Barh, Patna is again rejected.

However, learned court below i.e. Sri Deepak Kumar, Judicial Magistrate 1st Class, Barh, Patna is directed to commit the case of the petitioner to the court of Sessions in accordance with law within two weeks from the date of receipt/production of copy of this order even by separating the case of the petitioner from other co-accused and after commitment, the concerned Sessions court shall expedite the trial of the petitioner and shall try to conclude the same as early as possible, preferably within nine months from the date of commitment order, failing which the petitioner shall be at liberty to renew his prayer for bail before the learned trial court itself.

(Hemant Kumar Srivastava, J)

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