

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32475 of 2016

Arising Out of PS.Case No. -53 Year- 2015 Thana -RAGHOPUR District- VAISHALI(HAJIPUR)

MUKESH RAI @ GORAKH RAI @ GORAKA, S/o.- Purushottam Rai,
resident of Village- Mirampur; P.S.- Raghobpur; District- Vaishali.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dr. Rajesh Kumar Singh

For the Opposite Party/s : Smt. Pushpa Sinha

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 26-09-2016 Heard learned counsel for the petitioner, learned
counsel for the informant and learned counsel for the State.

The petitioner seeks bail in a case instituted under
Sections 302/34 of the Indian Penal Code and Section 27 of the
Arms Act.

The allegation against the petitioner is of opening fire
upon the father of the informant, causing his death.

It has been submitted on behalf of the petitioner that the
petitioner is in custody since 19.12.2015. The charge sheet has
been submitted in the present case. The petitioner has got no
criminal antecedent. There is no allegation of tampering of
witnesses alleged against the petitioner. He has falsely been
implicated in the present case.

On behalf of the state and the counsel for the informant it has been submitted that the petitioner is named in the F.I.R. There is specific allegation of causing firearm injury on the chest of the deceased. The informant is an eyewitness to the alleged occurrence.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioner. The same is rejected in Raghopur P.S. Case No. 53 of 2015, corresponding to G.R. No. 2745 of 2015, pending in the court of learned Additional Chief Judicial Magistrate-IVth, Vaishali at Hajipur.

Anyhow, the trial court is directed to take all necessary steps to expedite the trial.

(Sudhir Singh, J.)

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