

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43531 of 2016

Arising Out of PS.Case No. -15 Year- 2016 Thana -BHAWANIPUR District- PURNIA

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1. Sunil Kumar S/o Prakash Sah Resident of village - Karari Tintanga, P.S.
Gopalpur, District - Bhagalpur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhananjaya Nath Tiwari

For the Opposite Party/s : Mr. Md. Ansarul Haque

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

4 22-12-2016 Heard Sri N.K. Agarwal, learned senior counsel for
the petitioner and learned APP.

The petitioner seeks bail in Bhawanipur P.S. case
no. 15 of 2016 registered under Sections 302, 120B of the Indian
Penal Code and Sec. 27 of Arms Act.

The informant alleged that the petitioner came
when he talked to his son and fired at the head of the informant.
He fled away on motorcycle. The son of the informant died on the
spot.

Learned counsel for the petitioner submits that the
entire allegation is false and concocted and there is no motive on
behalf of petitioner to commit murder prior to occurrence.
Daughter of Punam Devi namely Gunjan Devi was murdered by



some unknown persons for which Falka PS case no. 159 of 2014 was registered in which deceased Shravan Kumar was an accused. It is further submitted that petitioner is falsely implicated in this case but it appears that there is specific allegation that the petitioner has fired from point blank range on the head of Shravan Kumar in presence of his father, the informant and Shravan Kumar died on the spot.

Considering the facts and nature of allegations, I am not inclined to enlarge the abovenamed petitioner on bail and accordingly, the same is rejected. The Trial Court is directed to expedite the trial. If the case is not committed to Sessions Court, the learned Magistrate is directed to commit the case to the court of Sessions and thereafter, Sessions Court or transferee court shall make efforts to expedite trial and conclude the same preferably within one year.

(Prabhat Kumar Jha, J.)

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