

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4876 of 2016

Arising Out of PS.Case No. -656 Year- 2015 Thana -SAHAYAK NAGAR District- KATI HAR

1. Chandan Rai Son of Subodh Chandra Rai, Resident of Brahmchari Field
Barmasia, Police Station- Katihar Sahayak, District- Katihar.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Roy, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary (App)

**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

3 29-03-2016 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with Katihar
(Sahayak) P.S. Case No. 656 of 2015 registered for the offences
punishable under Sections 326, 307 and 504/34 of the Indian Penal
Code and Section 27 of the Arms Act.

Allegedly, two persons on motorcycle came and started
abusing the informant and Md. Abdul Khalid and on protest both
opened fire which hit in the abdomen of Abdul Khalid and further
they opened fire, causing injury in the right leg of the informant
but due to alarm being raised the petitioner was caught and one
another person fled away.

Submission is of false implication and that no fire arm

was recovered from possession of the petitioner or from nearby place, co-accused has been allowed pre-arrest bail. The petitioner has been made victim of the circumstances and, as such, he deserves sympathetic consideration to which the learned APP seriously opposes by submitting that in the fardbeyan itself it is mentioned that the petitioner taking advantage of darkness, threw away pistol and he was caught at the spot.

In the facts and circumstances stated above, considering the allegation attributed against the petitioner, serious in nature, this Court is not inclined to enlarge the petitioner on bail and accordingly, his such prayer stands rejected.

However, the trial court is directed to expedite the trial and conclude the same as early as possible preferably within a period of six months.

(Jitendra Mohan Sharma, J)

sushma/-

U		T	
---	--	---	--