

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49323 of 2015

Arising Out of PS.Case No. -354 Year- 2014 Thana -BIHTA District- PATNA

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Dharmu Yadav, Son of Late Sarba Rai, Resident of Village - Taregna,
Police Station - Bihta, District - Patna.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Madan Jeet Kumar, Advocate.

For the Opposite Party : Mr. Ajay Kr. Jha (App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 18-05-2016 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in Bihta P.S. Case No. 354 of
2014, registered for the offences punishable under Sections 302
and 34 of the Indian Penal Code and under Section 27 of the Arms
Act. Prayer for bail of the petitioner was rejected earlier vide order
dated 12.05.2015 in Cr. Misc. No. 7565 of 2015.

Learned counsel for the petitioner submits that the
informant is not an eye witness of the occurrence. None of the
witnesses has supported that the petitioner has fired at Sunil
Yadav killing him on the spot.

From perusal of the FIR itself, it appears that the
informant claimed himself to be an eye witness of the occurrence

along with one another villager and the informant has stated that his son was shot dead by the petitioner.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner above named on bail in Bihta P.S. Case No. 354 of 2014, pending in the court of the learned Additional Chief Judicial Magistrate, Danapur, Patna. Accordingly, the same is rejected.

The trial court is directed to expedite the trial and conclude the same within one year from the date of receipt/production of a copy of this order.

(Prabhat Kumar Jha, J.)

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