

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47217 of 2016

Arising Out of PS.Case No. -2 Year- 2016 Thana -KRITYANAND NAGAR District- PURNIA

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1. Ram Bilash Yadav son of Karpoori Yadav Resident of Gangeshpur, P.S-
K Nagar, District- Purnea

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. N.K.Agrawal
Mr. Ajeet Kumar Singh
For the Opposite Party/s : Mr. Sri Bisheshwar Ram

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**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA**
ORAL ORDER

3 08-12-2016 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner is said to have opened fire on the deceased
and the informant claims himself to be an eye witness of the
alleged occurrence. The informant also claims that he saw the
occurrence in the light of head light of the motorcycle which was
being driven by the petitioner at the time of alleged occurrence.

Submission on behalf of the petitioner is that the
alleged occurrence is said to have taken place at about 8 PM and
the informant claims that he identified the assailant in the light of
head light of the motorcycle. It is further submitted that the
aforesaid claim of the informant appears to be doubtful because it



was not possible for him to identify the assailant and other accused in dark night, particularly, in the dim light of head light of motorcycle.

Regard being had to the facts and circumstance of the case as well as submission of the parties, I am not inclined to release the petitioner on bail and, hence, his prayer for bail in connection with Sessions trial no. 139 of 2016 arising out of K.Nagar P.S.case No. 02 of 2016, pending in the court of 3rd Additional Sessions Judge,(Successor), Purnea stands rejected.

However, the learned trial court is directed to expedite the trial of the petitioner and try to conclude the same as early as possible.

(Hemant Kumar Srivastava, J)

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