

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16454 of 2016

Arising Out of PS.Case No. -142 Year- 2015 Thana -BRAHMPURA District- MUZAFFARPUR

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1. NIKESH TIWARI @ NIKKU Son of Shiv Shankar Tiwari R/o
Sikandarpur Kundal, P.S. Town, District Muzaffarpur and at village-
Askaranpur, P.S.- Sarai, District- Vaishali.... Petitioner

Versus

1. The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Krishna Pd. Singh, Sr. Advocate

Mr. Lala Sheshendra Narayan Rais

For the Opposite Party/s : Mr. Pushpa Sinha 2 (App)

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

ORAL ORDER

3 20-06-2016 Heard learned Sr. Counsel for the petitioner and
learned counsel representing the State.

The petitioner seeks bail in connection with Brahampur
P.S. Case No. 142 of 2015 registered for the offences punishable
under Section 302 of the Indian Penal Code and Section 27 of the
Arms Act.

Allegedly, the petitioner shot Rajeev Kumar Singh the
younger brother of the informant on his head and further tried to
assault Ravi Prakash. During treatment the brother of the
informant died.

Submission is of false implication and that the petitioner
is in custody since 08.06.2015, charges have already been framed
on 07.11.2015 but up till now no prosecution witness has turned
up and as such the petitioner deserves sympathetic consideration

to which the learned APP opposes by submitting that the petitioner is the assailant.

In the facts and circumstances stated above, considering that the petitioner is assailant, this Court is not inclined to enlarge the petitioner on bail, accordingly, his such prayer stands rejected.

However, learned trial court is directed to take all positive steps and conclude the same as early as possible, preferably within nine months from the date of receipt/production of a copy of this order.

Let a copy of this order be sent to the concerned Superintendent of Police for taking steps for production of witnesses before the trial court.

(Jitendra Mohan Sharma, J)

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