

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30887 of 2016

Arising Out of PS.Case No. -5 Year- 2010 Thana -VIDYAPATINAGAR District- SAMASTIPUR

1. Devan Rai Son of Nathuni Rai @ Natho Rai resident of Village-Sherpur Diara Tole, Lodiahi, P.S.- Bachwara, District- Begusarai as per FIR but correct Address is R/o village- Bajeetpur Tola, Lodhiyahi , P.S. - Bachbara, District- Begusarai. ,

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh

For the Opposite Party/s : Mr. Rajesh Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

4 17-11-2016

Heard both sides.

The petitioner seeks bail in Vidyapati Nagar P.S. case No. 5 of 2010 under Section 307 and others Sections of the Indian Penal Code and under Section 27 of the Arms Act.

There is allegation that petitioner fired causing fire arm injury to Ramnath Rai, brother of informant.

The learned counsel for the petitioner submits that the case is registered under Section 307 of the IPC and petitioner is in jail since 29.05.2016 but it appears that the case is of the year 2010. The petitioner was absconding for more than five years. The petitioner appeared before the court below only in the year 2016. The allegation is that he fired causing fire arm injury to Ramnath

Rai, brother of the informant, on his thigh.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner on bail. Accordingly, the same is rejected.

The trial court is directed to expedite the trial, hold the trial on day to day basis and conclude the same within nine months from the date of receipt of the order.

The learned counsel for the informant submits that he is ready to cooperate in the trial before the trial court.

(Prabhat Kumar Jha, J)

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