

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.2843 of 2016

Arising Out of PS.Case No. -32 Year- 2011 Thana -BELAGANJ District- GAYA

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1. Chandu Ram Son of Jagdish Ram Resident of village - Sakarpur, P.S. Belaganj, District - Gaya.... Petitioner

Versus

1. The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ramakant Sharma, Sr. Advocate

Mr. Shambhu Nath

For the Opposite Party/s : Mr. A.L.Pandit(App)

Mr. Sunil Pathak

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

6 02-05-2016 Heard learned Sr. Counsel for the petitioner and learned APP for the Sate.

The petitioner seeks bail in connection with Belaganj P.S. Case No. 32 of 2011 registered for the offences punishable under Sections 147, 148, 149, 302 of the Indian Penal Code, Section 27 of the Arms Act and Section 17 of C. L. A. Act.

The allegation against the petitioner is that he as per order given by co-accused Chanchal Devi, shot Manish in his rib cage, resulting, he fell down and thereafter, co-accused Surya Bilash Paswan shot him with rifle and then Sujeet Kumar Das also shot Manish on his head and Kamlesh Paswan shot at his body, resulting, Manish Sharma succumbed to the injuries.

Submission is of false implication and that only due to political rivalry the petitioner has been implicated, co-accused

Kamlesh Paswan against whom also there is allegation of causing firearm injury on the body has already been allowed bail and as such the petitioner also deserves sympathetic consideration as he is suffering in custody since 15.03.2015 to which learned APP duly assisted by learned counsel for the informant opposes by submitting that at first the petitioner shot the deceased in his rib case and during post mortem also that injury has been found and further prayer of bail of co-accused Surya Bilash Paswan has already been rejected by another co-ordinate Bench of this Court.

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, accordingly, his such prayer stands rejected.

However, let the trial be expedited and concluded as early as possible, preferably within nine months from the date of receipt/production of a copy of this order.

(Jitendra Mohan Sharma, J)

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