

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51061 of 2016

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

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1. Jado @ Jado Rai @ Jaddu Rai S/o Late Nathuni Rai, Resident of
Village- Sherpur Diyara (Lodhiyahi), P.S.- Bachhwara, District - Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Suneil Kumar Thakur, Advocate

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 15-12-2016 Heard learned counsels for the Petitioner, the State and
the informant.

The Petitioner seeks bail in S.T. No.195 of 2015 arising out of Vidyapati Nagar P.S. case No.5 of 2010 instituted for the offence under Sections 147, 148, 149, 452, 326, 307 of the Indian Penal Code and Section 27 of the Arms Act, pending in the court of learned Additional District and Sessions Judge II, Samastipur.

Allegation against the petitioner is that he fired upon the son of the informant causing injury on his left buttock.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 26.6.2016. Charge sheet has been submitted in the case. The petitioner has got no criminal



antecedent. There is no allegation of tampering of witnesses against the petitioner. The petitioner has falsely been made accused in the present case. The husband of the informant is an accused in the murder case of the son of the petitioner.

On behalf of the State and learned counsel for the informant, it is submitted that the petitioner is named in the F.I.R. and he is alleged to have fired upon the son of the informant causing injury on his left buttock, which is non-vital part of the body.

A report was called for from the court below regarding the stage of the case. It has been reported that out of eleven prosecution witnesses four witnesses have already been examined and the trial is expected to be concluded within a period of six months.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioner at this stage. The same is rejected. The Trial Court is directed to take all necessary steps to conclude the trial within the period as mentioned in the report.

The District Magistrate, Samastipur and the Superintendent of Police, Samastipur are also directed to ensure that the prosecution witnesses are produced in the court on the date fixed by the Trial Court so that the trial could be concluded



within the stipulated period.

Let this order be communicated to the District
Magistrate, Samastipur and the Superintendent of Police,
Samastipur.

(Sudhir Singh, J)

Narendra/-

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