

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.20295 of 2017

Arising Out of PS.Case No. -201 Year- 2014 Thana -KARPI District- JEHANABAD

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Chhote Sharma, Son of Premdhan Sharma, resident of Village- Sonbhadra,
P.S.- Karpi, District- Arwal.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Binod Kumar Singh, Advocate.

For the Opposite Party : Mr. Md. Ashlam Ansari, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 10-05-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is languishing in custody since 04.08.2015
in connection with Sessions Trial No. 231 of 2016/45 of 2016,
arising out of Karpi P.S. Case No. 201 of 2014 for the offences
instituted under Sections 302/34 of the IPC and 27 of the Arms
Act.

The prosecution story, in brief, is that on the alleged date
and time of occurrence, while the informant alongwith his family
members were talking at the door, in the meantime, 8-9 persons
came there and ordered to kill them, on which co-accused
Vidhayak Sharma had caught hold of his father and the petitioner
had opened fire from his pistol, which hit in the right side of chest



of his father leading to his instantaneous death.

The earlier bail application of the petitioner was rejected vide Cr. Misc. No. 32681 of 2016 dated 28.09.2016 taking into account that the petitioner being main assailant of the deceased had fired upon the deceased causing his death.

A report was called for from the court below regarding the stage of the case. It has been reported that the charge has already been framed in this case and it is expected that the trial will be concluded within a period of nine months.

Considering the aforesaid facts and circumstances, nature of allegation and the stage, I am not inclined to grant bail to the petitioner. The same is rejected in Sessions Trial No. 231 of 2016/ 45 of 2016, arising out of Karpi P.S. Case No. 201 of 2014, pending in the court of the learned A.D.J.-V, Jehanabad.

The court below is directed to take all necessary steps to conclude the trial preferably within a period of nine months from the date of receipt/production of copy of the order.

The District Magistrate, Jehanabad and the Superintendent of Police, Jehanabad are also directed to ensure that during the trial the prosecution witnesses be produced on the date fixed by the court below so that the trial could be concluded within the stipulated period.



Let a copy of this order be communicated to the
District Magistrate, Jehanabad and the Superintendent of Police,
Jehanabad.

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(Sudhir Singh, J)

