

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21430 of 2017

Arising Out of PS.Case No. -72 Year- 2014 Thana -KIHIRI MORE District- PATNA

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1. SUBHASH SHARMA Son of late Rajnandan Singh Resident of Village-
Rampur, P.S. Karpi, District- Arwal.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Birendra Kumar

For the Opposite Party/s : Mr. Md. Anzarul Haque Sahara

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

8 07-09-2017 Heard the parties.

This application is for grant of regular bail in connection with Khirimode P.S.Case no.72 of 2014 , registered for the offences punishable under Sections 142, 148, 149,307, 302, 504 of the Indian Penal Code and Section 27 of the Arms Act.

Allegation, as per FIR, against the petitioner and the other co-accused persons is that they have demanded 10 kg. fish from the informant but he refused the same and they went away from there and thereafter they came back and started indiscriminately firing causing death of three persons.

Submission of the learned counsel for the petitioner is that the informant does not appear to be eye witness of the case and father of the informant has been examined and he has not disclosed name of the petitioner. Further, one co-accused, Raju Khan has been granted bail by this Court vide order dated



26.4.2017 passed in Cr. Misc. No.9021 of 2017. The petitioner is in custody for more than two years.

Heard learned A.P.P. also, who has opposed the prayer for bail on the ground that he has been named in the FIR as the assailant and the occurrence has taken place with respect of demand of 10 kg. fish from the informant.

Having heard both sides and in view of the fact that there is direct allegation against the petitioner, as such, I am not inclined to grant bail to the petitioner, however, the petitioner is in custody for about two years and it further appears that the case is in advance stage, the learned trial court is directed to expedite the trial of the petitioner and conduct it on regular basis and try to conclude it as soon as possible.

At the same time, S.S.P., Patna is also directed to ensure presence of the witnesses so that the case may be concluded as soon as possible.

With the aforesaid observation, this application is dismissed.

(Vinod Kumar Sinha, J)

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