

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15251 of 2017

Arising Out of PS.Case No. -3 Year- 2017 Thana -NAUTAN District- SIWAN

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Rahul Kharwar Son of Madhai Kharwar Resident of Village- Mathiya,
Police Station- Nautan, District Siwan.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwary

For the informant : Mr. Chandra Kant

For the Opposite Party/s : Mr. Shyam Bihari Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 30-03-2017 Heard the parties.

This application is for grant of bail in connection with Nautan P.s.Case No.03 of 2017 for the offence under Sections 307,354 and 506 of the Indian Penal Code and Section 27 of the Arms Act.

It is submitted on behalf of the petitioner that though there is allegation that the petitioner caught hold the informant but he did not succeed in his misdeeds so he fired upon the head of the informant, however, the injury report (as Annexure-2) shows that it is not of gun shot although the supplementary report shows the cause of injure by the fire arm and no opinion has been given so as to how he has come to the conclusion about the fire arm injury. It has also been submitted on behalf of the petitioner that he has also



filed a counter case against relatives of the informant and the petitioner was arrested in the injured condition from the Hospital.

Heard learned A.P.P. and learned counsel for the informant. They have opposed the prayer for bail and the learned counsel for the informant submits that bullets were seized at the spot and other witnesses have also supported the prosecution case.

Having heard both sides and in view of allegation as made in the F.I.R., I am not inclined to grant bail to the petitioner at this stage, however, the learned trial court is directed to expedite the trial and try to conclude it within a period of six months and if not concluded, the petitioner is at liberty to renew his prayer for bail before the court concerned itself.

With the aforesaid observation, this application is dismissed.

(Vinod Kumar Sinha, J)

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