

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.21726 of 2017

Arising out of PS.Case No. -56 Year- 2017 Thana -KHAGARIA District- KHAGARIA

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Dilip Paswan @ Pradip Kumar son of Late Dhaneshwar Paswan, Resident
of Village- Mathurapur, P.S. and District- Khagaria.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Mrityunjay Kumar

For the State : Mr. Rajkishore Singh

For the Opposite Party No. 2:Mr. Vivekanand Singh

Mr. Aarsh Kumar

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN

PRASAD

ORAL ORDER

4 07-06-2017 Heard Mr. Mritunjay Kumar, learned advocate for the

petitioner, Mr. Rajkishore Singh, learned APP for the State and

Mr. Vivekanand Singh for the informant.

The petitioner is seeking regular bail in connection with

Khagaria P.S. Case No. 56 of 2017 registered under Sections 504,

307, 326/34 of the Indian Penal Code and section 27 of the Arms

Act.

The prosecution story as disclosed in the First

Information Report would show that there is an allegation of firing

by this petitioner which hit the left thigh of the informant.

The learned counsel for the petitioner would submit that

the petitioner has been falsely implicated in the present case



because of village politics and rivalry and that in other cases instituted against him earlier he has been either acquitted or the Police found the allegations false. He has filed a supplementary affidavit today stating these facts in paragraph-3 and has further submitted that at present four other cases are pending in which he is on bail. Therefore, he attempted to strengthen his argument that it is a case of false implication.

Learned counsel for the informant submits that petitioner has got criminal antecedent and though he has been shown acquitted in some of the cases but the entire records are not available before this Court in order to appreciate as to whether those are clean acquittal or otherwise.

In any view of the matter, four cases are still pending against him and the injury as alleged is also supported by the medical report.

The learned counsel for the informant has placed before me a copy of the order dated 08.5.2017 passed in Criminal Misc. No. 20023 of 2017 showing that a coordinate Bench of this Court in the case of Bhola Paswan has refused to grant regular bail because of the criminal antecedent.

Considering the nature of allegation, although the learned counsel for the petitioner submits that save and except the



FIR there is no material in the case dairy but the factum of criminal antecedent and the order of the coordinate Bench are there to take a view, the prayer for bail of the petitioner is fit to be refused at this stage.

The learned trial court is directed to expedite the trial and try to conclude it within a period of six month as mentioned in the order of the coordinate Bench and if not concluded, the petitioner will be at liberty to renew his prayer for bail.

(Rajeev Ranjan Prasad, J)

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