

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14436 of 2017

Arising Out of PS.Case No. -69 Year- 2016 Thana -MAJHAHGARH District- GOPALGANJ

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Dhananjay Mishra, son of late Lalan Mishra, r/o village Tarwan, P.S.
Manjhagarh, Distt. Gopalganj.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Brij Bihari Tiwary, Advocate

For the Opposite Party/s : Mr. Suresh Prasad Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

5 10-07-2017

Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in Manjhagarh P.S. Case No.
69 of 2016 instituted for the offence under Sections 447, 504, 307,
506, 34 of the Indian Penal Code and Section 27 of the Arms Act.

It is alleged in the written report that this petitioner
along with Amit Thakur came on Motorcycle at the door of the
informant where he and his son were seated, told them to caste
vote in favour of their candidate and when the informant raised
objection, the petitioner fired causing injury on his right shoulder.
The neighbour of the informant Sunil Mishra came to save him
then this petitioner again fired causing injury to the son of the
informant Uday Mishra on his right temple and forehead. Sunil
Mishra also sustained firearm injury on several parts of the body.
Thereafter, another neighbour Ravi Kumar Sharma came to save



them, then Amit Thakur fired on him after taking gun from the hands of the petitioner on account of which Ravi Kumar Sharma sustained injury.

Learned counsel for the petitioner has submitted that Amit Thakur has already been granted bail by a coordinate Bench of this Court vide order dated 12.4.2017 passed in Cr. Misc. 16517 of 2017. It has further been submitted that now the matter has been compromised between the parties.

Case diary has been received.

Learned A.P.P. has pointed out that witnesses in several paragraphs of the case diary have supported the allegation against the petitioner. The injury report of the three injured is available in the case diary which shows that they have sustained injury on vital parts of the body.

Therefore, this Court is not inclined to grant bail to the petitioner at this stage.

Prayer for bail of the petitioner stands rejected.

The court below is directed to expedite the trial and make efforts to conclude the same within a period of six months because the petitioner is in custody since 10.11.2016.

Petitioner is given liberty to renew his prayer for bail in the court below itself after six months if trial is not concluded



within six months. The court below will give reason in the bail order for not concluding the trial within aforesaid period.

(Sanjay Priya, J)

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