

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45372 of 2017

Arising Out of PS.Case No. -976 Year- 2016 Thana -BIHTA District- PATNA

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Rajesh Kumar, Son of Jeo Nath Rai, Resident of Hirawanpur, P.S.- Bihta,
District- Patna.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Anuj Kumar

For the Opposite Party/s : Mr. Tarun Prasad Mandal

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 07-11-2017 Heard learned counsel for the petitioner.

This is an application for bail in connection with Bihta
P.S. Case No. 976 of 2016, registered for the offences punishable
under Sections 302, 504 and 506/34 of the Indian Penal Code.

Petitioner is named in the FIR and he is said to have fired
at the deceased causing his death.

Submission of learned counsel for the petitioner is that
FIR itself shows that informant is not an eye-witness to the
occurrence and he has admitted that he fled away from the place of
occurrence and apart from that there is enmity between the parties
and one complaint case and title suit are pending. Further
submission is that he is in custody for more than nine months.

Heard learned APP and learned counsel for the



informant. They have opposed the prayer for bail on the ground that petitioner is named in the FIR and the main allegation is against him.

Having heard both sides and in view of facts and circumstances, I am not inclined to grant bail to the petitioner.

However, since the petitioner is in custody for more than nine months, learned court below is directed to commit the case and after commitment learned trial court is directed to expedite the trial.

With the above observation, this application is dismissed.

(Vinod Kumar Sinha, J)

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