

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.42814 of 2016

Arising Out of PS.Case No. -613 Year- 2015 Thana -BEGUSARAI TOWN District- BEGUSARAI

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1. Sanni Kumar @ Sanni Deoul @ Sunny Kumar @ Sunny Deol Son of
Late Rajendra Das @ Late Rajo Das Resident of Village- Ratanpur, Ward
No.21, P.S.- Town, District- Begusarai. Petitioner/s

Versus

1. The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam

For the Opposite Party/s : Mr. Dr. Ajeet Kumar

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR

JHA

ORAL ORDER

8 20-03-2017

Heard both sides.

The petitioner seeks bail in Begusarai Town P.S. case
No. 613 of 2015 under Section 302/34 of the Indian Penal Code
and under Section 27 of the Arms Act.

Rupam Devi, wife of the deceased, made allegation
that her husband had gone to ease out in the field but Sanni
Kumar, the petitioner, Sonu Kumar and Munna Sah came and
fired at her husband and fled away towards southern side. The
informant went to the place of occurrence and took her husband,
with the help of others, to hospital and her husband disclosed that
it was the petitioner, Sanni Kumar, who fired at him.

The learned counsel for the petitioner submits that
informant is not an eye witness of the occurrence. Save and except
the statement of informant there is no eye witness of the
occurrence and petitioner is in jail since 05.11.2015. Charges were
framed but till now only one witness has been examined.



It appears that the informant specifically stated that she saw three persons fleeing away from the place of occurrence and while she was taking her injured husband to hospital, her husband disclosed that it was the petitioner who fired at him causing his death.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner on bail. Accordingly, the same is rejected.

The learned trial court is directed to expedite the trial, hold the trial on day to day basis and conclude the same within one year from the date of receipt of this order.

The Superintendent of Police, Begusarai is directed to ensure the attendance of prosecution witnesses of Begusarai Town P.S. case No. 613 of 2015, corresponding to Sessions Trial No. 320 of 2016, in the court of learned 7th Additional Sessions Judge, Begusarai so that the trial must be concluded within one year.

Let a copy of this order be sent to the learned 7th Additional Sessions Judge, Begusarai as well as Superintendent of Police Begusarai for information and needful.

(Prabhat Kumar Jha, J)

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