

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55188 of 2016

Arising Out of PS.Case No. -86 Year- 2015 Thana -AGIAUN District- BHOJPUR

=====

Dhiraj Kumar Pandey @ Dhiraj Kumar S/o Late Mathura Nand Pandey,
Resident of Village- P.S.- Agion (G), District- Bhojpur.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Jharkhandi Upadhyay

For the Opposite Party/s : Mr. Ram Naresh Ray

=====

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 30-01-2017 The application is for grant of regular bail in connection with Agion (G) P.S. Case No. 86 of 2015 registered for offences under sections 324/307/34 of the Indian Penal Code and 27 of the Arms Act.

It has been submitted on behalf of the petitioner that the petitioner is own family members of the informant and whatever allegation has been alleged against the petitioner only due to the land dispute between the parties, rather the occurrence had not taken place as the manner as stated in the F.I.R.. It has further been submitted that during the course of investigation, mother and wife of the deceased have not stated about the involvement of this petitioner in this case, as somebody fired and the accused persons have not been identified.



Heard learned A.P.P. also. Learned A.P.P. has opposed the prayer for bail of the petitioner on the ground that there is a direct allegation against the petitioner of firing upon the victim.

It has further been submitted by the petitioner that his mother is suffering from Cancer so at least he should be allowed provisional bail.

However, at this stage this Court cannot pass any such order. The petitioner may move for provisional bail before the court below, who will consider the prayer of the petitioner and pass an appropriate order. The court below is directed to expedite the trial.

Having heard both sides. In view of the facts stated above and the nature of allegation made against the petitioner, this Court is not inclined to grant bail to him at this stage.

However, The petitioner may move for provisional bail if so desires before the court below.

With the above observation, this petition is dismissed.

(Vinod Kumar Sinha, J)

Mahesh/-

U		T	
---	--	---	--

