

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17363 of 2017

Arising Out of PS.Case No. -81 Year- 2017 Thana -KHAGARIA District- KHAGARIA

=====

Arvind Pandit, son of Bhumi Pandit, resident of Village- Ramganj, P.S. Muffasil, District- Khagaria.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

=====

Appearance :

For the Petitioner/s : Mr. Bishweshwar Ram, Advocate

For the Informant : Mr. Anil Kumar Choudhary, Advocate

For the Opposite Party/s : Mr. Ashok Kumar Singh, APP

=====

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 04-05-2017

Heard learned counsel for the petitioner.

This is an application for bail in connection with Khagaria (Muffasil) P.S.Case No. 81 of 2017 registered for the offences punishable under Sections 147, 148, 149, 326, 307, 504, 506 of the Indian Penal Code and 27 of the Arms Act.

Allegation against the accused persons, including the petitioner is of discriminate firing on the informant and others.

It has been submitted on behalf of the petitioner that there is land dispute between the parties from before and informant's side are the aggressors as they tried to grab the land of the petitioner and there was free fight between the parties and both sides have sustained injuries. It has further been submitted that as per FIR petitioner shot fire but not hit any body and the other accused persons also shot fire causing injuries on the non-vital part of the injured persons, which are simple in nature, and firing has been made due to self-defence of the petitioner's side. It has further been submitted that charge-sheet in this case has been submitted and petitioner is in custody for three months.



Heard learned APP and learned counsel for the informant also. Learned counsel for the informant has submitted that earlier prayer for bail of co-accused has been rejected by this Court in Cr.Misc.No. 16122 of 2017, vide order dated 10.4.2017 and case of the petitioner stands on similar footing.

Having heard both sides and considering the allegation against the petitioner of firing made in the FIR as well as other accused persons causing several injuries on several persons. I am not inclined to grant bail to the petitioner. But contention of self-defence is concerned, the same shall be considered at the time of trial.

However, learned trial court is directed to expedite the trial and try to conclude the same within a period of seven months. If the trial is not concluded within the said period, the petitioner may renew his prayer for bail before the court below itself, which shall be considered on the basis of the materials available on record at that time.

Accordingly, this application is dismissed.

(Vinod Kumar Sinha, J)

spal/-

U			
---	--	--	--

