

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7077 of 2017

Arising Out of PS.Case No. -33 Year- 2009 Thana -UDWANTNAGAR District- BHOJPUR

=====

Upendra Choudhary, son of Late Janeshwar Choudhary, resident of village -
P.O. Belaur, P.S. Udwant Nagar, District Bhojpur at Ara.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

=====

Appearance :

For the Petitioner/s : Mr. Amrendra Narayan Rai, Advocate

For the Opposite Party/s : Mr. Mithilesh Kumar Khare, APP

=====

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

5 21-06-2017

Heard learned counsel for the petitioner.

This is an application for bail in connection with
Udwantnagar P.S.Case No. 33 of 2009 registered for the offences
punishable under Sections 302/34 of the Indian Penal Code and 27
of the Arms Act.

Allegation against the petitioner is of firing at the
deceased causing his death.

It has been submitted on behalf of the petitioner that
as a matter of fact, deceased died due to other circumstance, as
such, petitioner was not sent up for trial and petitioner was
summoned after five years and other co-accused have been
acquitted and petitioner is in custody for more than 15 months.

Heard learned APP also, who has opposed the prayer



for bail.

Having heard both sides and in view of direct allegation against the petitioner, I am not inclined to grant bail to the petitioner at this stage.

Earlier a report was called for from the trial court and the report shows that trial will be concluded within nine months if prosecution co-operates in trial.

In such view of the matter, learned trial court is directed to expedite the trial on day-to-day basis and try to conclude the same within a period of seven months and at the same time Superintendent of Police, Bhojpur is also directed to ensure that the witnesses are present in court on the date fixed so as to conclude the trial within the time specified.

With the above observations, this application is dismissed.

(Vinod Kumar Sinha, J)

spal/-

U			
---	--	--	--

