

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46121 of 2017

Arising Out of PS.Case No. -7 Year- 2017 Thana -KHAJEKALLAN District- PATNA

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1. Pinku @ Sheru @ Suraj, Son of Tauhid Mistry, resident of Mohalla-Bag Kalu Khan in front of Mazar Gali, P.S.- Khajekalan, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Jha

For the Opposite Party/s : Mr. Sri Brajendra Nath Pandey

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

5 07-11-2017 Heard the parties.

This application is for grant of regular bail in connection with Khajekalan P.S.Case no.7 of 2017 for the offences punishable under Section 302 of the Indian Penal Code and Section 27 of the Arms Act.

Allegation against the petitioner is of causing death of the son of the informant.

Submission of the learned counsel for the petitioner is that there is no eye witness of the occurrence and as a matter of fact the deceased received injuries in some other manner and it is the petitioner who has taken him to the hospital where he was declared dead. It has also been submitted that it has come in the case diary that earlier life of the deceased was saved by this petitioner, however now the petitioner has been made accused in this case by the informant only on the basis of suspicion.



Heard learned A.P.P. as well as the learned counsel for the informant. They have opposed the prayer for bail on the ground that the deceased has himself informed the informant on phone about shot being fired on his leg and he was injured and thereafter the informant came to the house of the petitioner there he heard about another firing and the post mortem report also shows that the deceased has received two injuries one on the leg and another on the back and that is corroborated in the statement of the informant.

Having heard both sides and in view of facts and circumstances, as stated above, I am not inclined to grant bail to the petitioner, however, as the charge has been framed in this case, the learned trial court is directed to expedite the trial and conduct it on regular basis so that it may be concluded within a period of nine months, if possible.

With the aforesaid observation, this application is dismissed.

(Vinod Kumar Sinha, J)

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