

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39549 of 2017

Arising Out of PS.Case No. -392 Year- 2016 Thana -SIWAN MUFFASIL District- SIWAN

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Golden, son of Ahmad Ali Ansari, resident of village Chakiya, P.S. Siwan
Muffasil (Mahadeva O.P.), District Siwan. Petitioner.

Versus

The State of Bihar. Opposite Party.

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwary

For the Opposite Party/s : Mr. Kalyan Shankar

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**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

02 19-08-2017

Heard learned counsel for the petitioner and learned

APP for the State.

The petitioner seeks bail in Siwan Muffasil
(Mahadeva O.P.) P.S. Case No. 392 of 2016 registered under
Section 307 & 326 of the Indian Penal Code and Section 27 of the
Arms Act.

As per the prosecution case, the petitioner is said to
have resorted firing on the son of the informant when he was
sleeping in his house. Subsequently, the deceased succumbed to
his injury in course of treatment.

It is submitted by learned counsel for the petitioner
that there is no eye witness of the occurrence. Informant has also
not seen the petitioner resorting firing upon the deceased rather
escaping from the place of occurrence after resorting firing. It is



further submitted that although the victim was treated in the hospital for 15 days but his statement was not recorded by the police.

As the petitioner is the assailant of the deceased and there is direct allegation of resorting firing on the deceased resulting into his death during the course of treatment, I am not inclined to enlarge the petitioner on bail. The prayer for bail is rejected. However, the learned court below is directed to conclude the trial as expeditiously as possible preferably within a period of nine months from the date of receipt/production of a copy of this order.

(Prakash Chandra Jaiswal, J)

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