

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44750 of 2017

Arising Out of PS.Case No. -13 Year- 2014 Thana -BARHARA District- BHOJPUR

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1. Dharmendra Kumar Singh @ Dharmendra Singh, Son of Sarvanand Singh, Resident of Village-Barka Lauhar, P.s.-Barahara, District-Bhojpur.

.... Petitioner

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Shally Kumari

For the Opposite Party/s : Mr. Anant Kumar

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 22-11-2017 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner seeks bail in a case instituted under Sections 302, 307/34 of the Indian Penal Code and 27 of the Arms Act.

As per the prosecution case, on 25.01.2014 in the evening at 16.30 hours, a hot exchange took place between the children of the petitioner and informant and at that time the informant was also sitting at his door and his father was standing near the well, in the meantime, the petitioner along with other co-accused persons came there and on the instigation of co-accused, the petitioner fired from the pistol thrice upon the father of the informant, resulting which, his father fell down. It is further



alleged that when the younger brother of the informant came there to save his father, the petitioner also fired upon him, upon which, he became seriously injured. The father of the informant died during course of treatment and the younger brother of the informant was taken to P.M.C.H. for better treatment.

Earlier the bail application of the petitioner was rejected vide Annexure-1 to the present application, taking into account that he is said to have assaulted the deceased.

A report was called for from the trial Court regarding the stage of the case. It has been reported that only two prosecution witnesses are remained to be examined in this case. One is the doctor and another is the Investigating Officer. Both the witnesses are official witnesses.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioner. The same is rejected in Barahara P.S. Case No. 13 of 2014, corresponding to S. Tr. No.171/2014, pending in the court of learned Additional Sessions Judge-V, Bhojpur at Ara.

The Trial Court is directed to take all necessary steps to conclude the trial preferably within a period of three months from the date of receipt of production of copy of this order.

The District Magistrate, Ara and the Superintendent of



Police, Ara are directed to ensure that the prosecution witnesses are produced in the court on the date fixed by the court below, so that the trial could be concluded within the stipulated period.

Let a copy of this order be communicated to the District Magistrate, Ara and the Superintendent of Police, Ara.

(Sudhir Singh, J)

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