

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46628 of 2017

Arising Out of PS.Case No. -329 Year- 2016 Thana -DHANARUA District- PATNA

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1. Vijay Singh Son of Late Rameshwar singh Resident of village- Alipur,
P.O.- Bhakhari, P.S.- Dhanarua, District- Patna 804451

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Apurva Kumar

For the Opposite Party/s : Mr. Md. Arif

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 08-11-2017

Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in Dhanarua P.S. Case No. 329 of
2016 instituted for the offence under Sections-307, 302 & other minor
Sections of the Indian Penal Code.

The petitioner is the main assailant in this case.

There is allegation against this petitioner that he fired shot
in the abdomen of father of the informant, on account of which, he died.

The postmortem report has been annexed as Annexure-3
wherein the doctor has found entry wound of fire arms on the right side
of chest and on the part of abdomen.

Counsel for the petitioner has submitted that the petitioner
is alleged to have fired on the abdomen but the injury has been found
on the chest. Counsel for the informant has submitted that in the
postmortem report, there is mention that the injury was also found on



the part of the abdomen. The postmortem report supports the specific allegation. The firearm injury has been found on the right side of the chest and on the part of abdomen as well and death is also said to have been caused on account of aforesaid fire-arm injury.

This court is, therefore, not inclined to grant bail to the petitioner. Accordingly, prayer for bail of the petitioner is rejected at this stage.

The court below is directed to expedite the trial of the petitioner. The informant will also cooperate in the trial and will not take unnecessary adjournment to delay the trial.

It has been submitted that the petitioner is in custody since 05-08-2016. Therefore, the court below is directed to give short adjournments in the case and make all efforts to conclude the trial of the petitioner as early as possible, preferably, within a period of nine months from the date of receipt of this order.

In the event, the trial of the petitioner is not concluded within the aforesaid period of nine months, the petitioner is given liberty to renew the prayer of bail in the court below itself which shall be disposed of in accordance with law and court below will give reason in the bail order for not concluding the trial within a period of nine months.

(Sanjay Priya, J)

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