

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17374 of 2017

Arising Out of PS.Case No. -501 Year- 2014 Thana -RUNISAIDPUR District- SITAMARHI

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Aadarsh Kumar @ Chanchal Kumar son of Arun Singh resident of Village -
Madhaul, P.S. - Runni Saidpur, District - Sitamarhi.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ganesh Prasad Singh, Adv.

For the Opposite Party/s : Mr. Nityanand Tiwary, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 05-07-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks bail in a case instituted under
Sections 302, 307, 120(B)/34 of the Indian Penal Code and 27 of
the Arms Act.

The allegation against the accused persons
including the petitioner is that they made indiscriminate firing,
resulting which, deceased died. The petitioner is also said to have
present at the place of occurrence at the time of occurrence along
with other co-accused.

Earlier the bail application of the petitioner was
rejected vide Anenxure-1 to the present application taking into
account that the petitioner and one Sonu Kumar were driving the



motorcycles on which Ranjit Kumar, Bikram Singh, Guddu Kumar @ Prashant Kumar, Ashik Kumar were pillion riders on the motorcycle. The aforesaid other co-accused are said to have fired upon the deceased and in the said act, the petitioner had facilitated the commission of murder.

A report was called for from the trial court regarding the stage of the case. It has been reported by the trial court that cognizance has been taken and the case is going to be committed to the court of Sessions on the next date.

It has been submitted on behalf of the petitioner that other co-accused have been granted bail vide Annexure-5 series to the present application. The postmortem report indicates that there is only two gun shot injury on the body of the deceased, which is wound of entry and wound of exit.

On behalf of the state, it has been submitted that the other accused persons who have been granted bail are not alleged to be present at the place of occurrence, where the commission of murder is said to have taken place. Hence, the case of the petitioner is not similar to the case of other co-accused, who have been granted bail.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioner. The same is



rejected in connection with Runnisaipur P.S. Case No. 501 of 2014 pending in the court of C.J.M., Sitamarhi.

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

The District Magistrate, Sitamarhi and the Superintendent of Police, Sitamarhi 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, as indicated by the court below.

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

(Sudhir Singh, J)

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