

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8687 of 2018

Arising Out of PS. Case No.-27 Year-2017 Thana- INARWA District- West Champaran

Chandra Giri @ Babu Bhaiya, Son of Sri Inesh Giri, Resident of Village
Inarwa Bazar, P.S. Inarwa, District West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Mahesh Narayan Parbat, Sr. Advocate
For the State	:	Mr. Ajay Kumar No.1, APP
For the Informant	:	Mr. Raghunandan Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR
ORAL ORDER

2 13-02-2018 Heard learned counsel for the petitioner and the learned
APP for the State.

Petitioner, already in custody, seeks bail in connection with
Inarwa P.S. Case No.27 of 2017, registered under Sections 341,
323, 307, 302 and 504/34 of the Indian Penal Code as well as
under Section 27 of the Arms Act.

Allegation in brief is that due to land dispute the accused
persons wrongfully restrained the other side and assaulted
several other persons. However, the specific allegation against
the petitioner is that he shot at Amaresh Kumar Giri, brother of
the informant, from the back causing his death.

Learned counsel for the petitioner submits that there is land
dispute between both sides and the allegation against the



petitioner is of opening fire from the back side of Amaresh Kumar Giri but as per the post-mortem report the entry wound is from the front side of the informant which belies the informant's allegation.

Having considered the said facts and circumstances, it appears from the post-mortem report that firearm injury was caused at the flank of the abdomen and not on the front and the allegation is specific against the petitioner only, so the prayer of bail of the petitioner is rejected in connection with Inarwa P.S. Case No.27 of 2017, pending in the court of learned Judicial Magistrate, 1st Class, Bettiah.

However, the trial court is directed to expedite the trial and preferably conclude the same within a period of one year.

(Arun Kumar, J)

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