

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39915 of 2017

Arising Out of PS.Case No. -379 Year- 2014 Thana -BIHTA District- PATNA

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Nandan Kumar @ Nandan Kumar Singh Son of Tali Singh @ Krishna
Mohan Sharma, Resident of Village-Parsha, P.S. Naubatpur, District-Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Brajesh Kumar Pandey

For the Opposite Party/s : Mr. Sri Murlidhar

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

6 12-01-2018 Heard the learned counsels for the petitioner and the

State.

The petitioner seeks bail in connection with Bihta
P.S. Case No. 379 of 2014 dated 10.06.2014 instituted for the
offences under Sections 302/34 of the Indian Penal Code and
Section 27 of the Arms Act.

The informant who claims to be an eye witness to the
occurrence has alleged that the petitioner and two other persons
came at a place where the deceased was sitting and the petitioner
is thereafter alleged to have shot at the deceased from very close
quarters leading to injuries on his person and the deceased
ultimately died.

Mr. Krishna Prasad Singh, learned senior counsel for



the petitioner while canvassing for bail has submitted that immediately after the occurrence, the police got an information that somebody has been killed in a Pandal by three miscreants. It was only later that the police came to learn through the mouth of the witnesses, who did not deem it appropriate to speak in public, that the petitioner was also one of them. Similarly Mr. Krishna Prasad Singh, learned senior counsel has also drawn the attention of this Court to other paragraphs of the case diary which according to his estimation makes the prosecution case doubtful.

However, considering the direct allegation against the petitioner of having fired at the deceased leading to his death, this Court is not inclined to grant bail to the petitioner for the present.

The petitioner is in custody since 22.12.2016 and this Court has been informed that charges have been framed. In that view of the matter, this Court directs that the trial of the petitioner be expedited.

Prayer for bail of the petitioner is, accordingly, rejected with the aforesaid observation.

(Ashutosh Kumar, J)

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