

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.61808 of 2017

Arising Out of PS.Case No. -87 Year- 2015 Thana -JAMOBABAZAR District- SIWAN

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Lallan Singh, S/o Late Amla Singh, resident of Village- Talimapur, P.S.-
Jamo Bazar, District- Siwan.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gajendra Kumar Singh

For the Opposite Party/s : Mr. Sri Ganesh Prasad Singh

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

4 11-04-2018 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in connection with Sessions Trial
No. 162 of 2016 arising out of Jamo P.S. Case No. 87 of 2015 for
offences punishable under Sections 307, 341, 504, 506/34 and 302
of the Indian Penal Code and Sections 27 and 30 of the Arms Act.

The prosecution case, as lodged by the informant, is
that both she and her husband was watching construction work,
the accused persons including the petitioner came and fired which
hit her husband on the head and he died during course of
treatment.



It has been submitted by the learned counsel for the petitioner that he is innocent and basically the matter arose out of civil dispute. Allegation of firing was against three persons and it is not evident as to whose injuries was fatal.

However, learned APP for the State opposes the prayer for bail stating therein that the postmortem report has four injuries and because of the said injury husband of the informant succumbed.

The petitioner had earlier moved for bail which was rejected vide order dated 25.05.2016 passed in Cr. Misc. No. 14300 of 2016.

A report was called for from the court of the learned A.D.J. VIth, Siwan who has sent a report dated 04.04.2018 stating therein that some of the witnesses are yet to be examined.

Considering the facts and circumstances and the materials on record, I am not inclined to grant privilege of bail to the petitioner in connection with Sessions Trial No. 162 of 2016 arising out of Jamo P.S. Case No.87 of 2015, pending in the court of learned VIth Additional Sessions Judge, Siwan.

The application is, accordingly, rejected. However, the



learned court below is directed to conclude the trial preferably within six months. The petitioner is at liberty to renew his prayer for bail after six months, if trial is not concluded by that time.

(Nilu Agrawal, J)

Devendra/-

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