

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42271 of 2018

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1. Chhotan Rai, Son of Adalat Rai, Resident of Village- Ramgarh, P.S.-
Siswan (Chainpur O.P.), District- Siwan.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Utsav Kumar, Advocate.

For the Opposite Party/s : Mr. Rajesh Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 29-10-2018 Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in Siswan (Chainpur O.P.)

P.S. Case No. 182 of 2017 instituted for the offence under
Sections 394, 302 and 120(B) of the Indian Penal Code.
Subsequently, Section 25(1-b), 26, 27 and 35 of the Arms Act
was added.

In the written report it is alleged that while son of the
informant was returning on the Motorcycle he was shot in his
stomach. The informant saw three persons running away towards
north. The son of the informant in injured condition told the
informant that this petitioner has fired shot in his stomach on
account of previous enmity. Later on, the son of the informant
namely Ajeet Kumar Soni died during course of treatment.

Case diary has been received.



Learned A.P.P. after looking into the case diary has submitted that the informant has stated before the police that his son told him that he was shot by the petitioner. Subsequently, the son of the informant died.

Counsel for the informant submits that son of the informant has given such statement and subsequently died. Therefore, his statement is relevant under Section 32 of Indian Evidence Act.

Therefore, this Court is not inclined to grant bail to the petitioner at this stage.

Prayer for bail of the petitioner stands rejected at this stage.

The Trial Court is directed to expedite the trial.

(Sanjay Priya, J)

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