

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53739 of 2018

Arising Out of PS. Case No.-495 Year-2017 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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Vikash Kumar, Son of Late Bipin Singh, Resident of Village- Bari Eighu,
P.S.- Mufassil, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shashank Shekhar
For the Opposite Party/s : Mr. Sri Dilip Kumar

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 22-11-2018 Heard learned counsel for the petitioner, learned APP
for the State as well as learned counsel for the informant.

The petitioner seeks bail in Mufassil P. S. Case No.
495 of 2017 instituted for the offence under Section(s) 302/34
of the Indian Penal Code and Section 27 of the Arms Act.

The prayer for bail of the petitioner was earlier
rejected by Co-ordinate Bench of this Court by order dated
4.5.2018 passed in Cr. Misc. no. 26419 of 2018.

In the written report, it is alleged that on the date of
occurrence, the petitioner made a call on the phone of the
husband of informant and he came out from house. In the
meantime, sound of firing came from outside and on hearing
the sound of firing, informant also came out from the house and



saw that accused persons including the petitioner as named in the written report, all chased the husband of the informant armed with gun and made firing at him. Thereafter, she also ran with shouting towards her husband and saw that her husband had received fire arm injury on the chest and Thudi and fell down. Thereafter, co accused, namely, Madhusudan caught hold her husband and made firing on the chest of the husband of the informant which caused the death of the husband of the informant.

The report called for from the Court below has been received and placed at Flag- 'A' mentioning therein that charge has already been framed on 12.9.2018.

Learned counsel for the petitioner has submitted that he has renewed the prayer for bail on the ground that one of the co accused of the instant case has been granted regular bail by order dated 18.6. 2018 passed in Cr. Misc. no.14392 of 2018.

This Court is of the view that said ground is not a good ground for grant of bail to the petitioner. The prayer for bail of the petitioner was earlier rejected on merit.

In such circumstances, this Court is not inclined to grant bail to the petitioner at this stage. The prayer for bail of the petitioner stands rejected.



Trial Court is directed to expedite the trial by giving short adjournments and make efforts to conclude the same as early as possible preferably within a period of nine months from the date of receipt of copy of this order.

Petitioner is given liberty to renew prayer for bail after nine months in the event the trial is not concluded.

(Sanjay Priya, J)

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