

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.61762 of 2018**

Arising Out of PS. Case No.-25 Year-2017 Thana- PARSAUNI District- Sitamarhi

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Dharmendra Kumar @ Chhote

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Nilesh Kumar

For the Opposite Party/s : Mr. Sri Abhay Kumar - 1

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**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA**  
**ORAL ORDER**

3      06-11-2018                      The petitioner seeks regular bail in connection with Parsauni P.S. Case No. 25 of 2017, registered for offences punishable under Section 302/34 of the Indian Penal Code and Section 27 of the Arms Act.

Allegation against the petitioner and other accused persons that they assaulted the husband and devar of the informant by means of rod and when they fell on the ground, petitioner and others also fired on them causing their death.

It has been submitted on behalf of the petitioner that he is *gotiya* of the deceased and has falsely been made accused in the background of land dispute. Moreover, the informant has not supported the case of prosecution during trial and she is the only eye witness of the occurrence. Further submission is that out of eleven witnesses, seven witnesses have been



examined and petitioner has been in judicial custody since 25.04.2017.

Learned counsel for the State opposed the prayer for bail.

Having heard both sides, considering the facts and circumstances of the case as well as the fact that the trial is in progress, I am not inclined enlarge the petitioner on bail.

This application is accordingly dismissed.

However, since seven witnesses have already been examined and as stated above only four witnesses have remained to be examined, learned Trial Court is directed to conclude the trial within a period of six months even by conducting the trial on day to day basis.

**(Vinod Kumar Sinha, J)**

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