

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5567 of 2019

Arising Out of PS. Case No.-69 Year-2018 Thana- MEHANDIGANJ District- Patna

Shrawan Kumar @ Sarwan Kumar, son of Lal Babu Yadav, R/o Mohalla-
Ranipur Peepal Tal, P.S. - Mehandiganj, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shyamal Prakash
For the Opposite Party/s : Mr. Murli Dhar

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 22-04-2019 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 341, 323, 307, 504/34, 302
of the Indian Penal Code and Section 27 of the Arms Act.

The occurrence of abuse and assault was going on. In
the meantime, the petitioner took pistol from Vicky Kumar and
fired at Ajay Kumar as a result whereof Ajay Kumar died during
course treatment.

Learned counsel for the petitioner submits that
petitioner is in custody since 28.08.2018. The narration of the
occurrence in the FIR would reveal that the petitioner was not
intending to commit murder and whatever took place was at the
spur of the moment.

Considering the direct allegation against the petitioner



which is not result of any provocation, I am not inclined to enlarge the petitioner on bail for the present.

Hence, his prayer for bail is refused in connection with Mehandiganj Police Station Case No. 69 of 2018 pending in the court of learned Sub-Divisional Judicial Magistrate, Patna City, Patna.

Learned Trial Court is directed to expedite the trial and conclude the same preferably within nine months from the date of receipt/production of a copy of this order.

(Birendra Kumar, J)

Rajan/Banti

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