

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9127 of 2019

Arising Out of PS. Case No.-261 Year-2018 Thana- BUXAR District- Buxar

RAM ISHWAR SINGH @ RAMESHWAR SINGH, aged about 48 years,
Male, Son of Late Ramashish Singh Resident of Village – Jagdishpur, P.S.
Buxar (M), District-Buxar.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Sada Nand Roy, Advocate.

For the Opposite Party : Mr.Nawal Kishore Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 29-04-2019 A supplementary affidavit has been filed on behalf
of the petitioner. Let it be kept on the record.

Learned counsel for the petitioner is permitted to
make necessary correction in paragraph no. 3 of the bail
application, in light of the supplementary affidavit filed on
behalf of the petitioner, in course of the day. Learned counsel
for the petitioner is also permitted to make necessary correction
in paragraph no. 15 of the bail application, in course of the day.

Heard learned counsel for the petitioner and
learned A.P.P. for the State.

The petitioner is languishing in custody since
04.06.2018 in a case for the offence registered under Sections
302, 307, 120(B)/34 of the IPC and 27 of the Arms Act.



The prosecution story, in brief, is that on 18.05.2018 at about 8.45 P.M., when the informant Yashwant Yadav alongwith his father Khuti Yadav came with Scorpio at Itarhi Railway Crossing, accused petitioner alongwith F.I.R. named accused came there and fired on the father of the informant and informant also by pistol, pellet hit on the head of the informant's father and another pellet hit on the hand of the informant. The informant rushed towards Sadar Hospital, Buxar, where his father died.

It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. The petitioner alongwith other co-accused persons are said to have fired upon the informant and his father(deceased). The time of occurrence is said to be 8.45 P.M. Source of identification has not been disclosed by the prosecution.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is named in the F.I.R. He is said to be one of the assailants alongwith co-accused, namely,



Kanchan Singh.

Considering the nature of accusation, I am not inclined to grant bail to the petitioner. The same is rejected in connection with Buxar (Town) P.S. Case No. 261 of 2018, pending in the court of learned C.J.M., Buxar.

The court below is directed to take all necessary steps to conclude the trial preferably within a period of one year from the date of receipt/production of copy of this order.

The District Magistrate, Buxar and the Superintendent of Police, Buxar, are also directed to ensure that the prosecution witnesses are produced in the court below on the date fixed by the court below so that the trial could be concluded within the stipulated period.

Let a copy of this order be communicated to the District Magistrate, Buxar and the Superintendent of Police, Buxar.

(Sudhir Singh, J)

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