

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19255 of 2019

Arising Out of PS. Case No.-168 Year-2017 Thana- KARAHGAR District- Rohtas

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BABLU PANDEY @ RAKESH RANJAN PANDEY Son of Late Kanhaya Pandey Resident of Village - Karaghar, Post Office - Karaghar, P.S. Karaghar District - Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dharmendra Kumar

For the Opposite Party/s : Mr.Ashraf Ansari

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 09-08-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case instituted for the offences under Sections 302/34 of the Indian Penal Code and 27 of the Arms Act.

The prosecution case in short is that while the informant was returning to house along with father and others, the accused persons, variously armed, shot fired at the father of the informant due to which he died.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 25.4.2018. There is no allegation of tampering of witnesses alleged against the petitioner. Charge-sheet has been submitted in the present case.



The petitioner has falsely been implicated in the present case. In course of investigation, two other co-accused who have allegedly fired, the police has found the case to be false against them. This creates doubt regarding the participation of the petitioner in the alleged crime. Due to previous enmity, the petitioner has falsely been implicated in the present case.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R. The informant is an eye witness. There is specific allegation of firing alleged against the petitioner. The said firing made by the petitioner is corroborated by the post-mortem report.

Considering the nature of accusation, I am not inclined to grant bail to the petitioner in connection with Kargahar P.S. Case No. 168 of 2017. The same is rejected. The Trial Court is directed to take all necessary steps to conclude the trial at the earliest preferably within nine months from the date of receipt/production of a copy of this order.

(Sudhir Singh, J)

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