

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14957 of 2019

Arising Out of PS. Case No.-107 Year-2018 Thana- KASIMBAZAR District- Munger

Shivajeet Ram Son of Arun Ram Resident of Village / Muhalla - Kasim
Bazar, P.S.- Kasim Bazar, District - Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjiv Kumar Singh

For the Opposite Party/s : Mr.Mukeshwar Dayal

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

5 17-09-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case initially registered under Sections 341, 323, 307, 504, 34 of the Indian Penal Code and 27 of the Arms Act and later on, Section 302 of the Indian Penal Code was also added.

The allegation against the petitioner is of hurling abusive language and on protest, firing was also resorted to upon the informant, which hit on the abdomen of the informant and he fell down on ground.

It has been submitted on behalf of the petitioner that there is no allegation of tampering of witnesses alleged against the petitioner. The petitioner is in custody since 28-05-2018. Charge sheet has already been submitted. The petitioner has



been falsely implicated in the present case. The petitioner is alleged to have fired upon the informant. No allegation of assault upon the deceased is alleged against the petitioner. No offence u/S 302 of the Indian Penal Code is made out. The petitioner has remained in custody for more than a year.

A report was called for from the court below. It has been reported by the court below that out of five prosecution witnesses, three witnesses have already been examined. Only the I.O. and the doctor are yet to be examined in the present case. The trial is expected to be concluded within a period of two months.

On behalf of the State, it is submitted that the petitioner is named in the Complaint Case/F.I.R. There is specific allegation against the petitioner, of firing upon the informant. The informant is said to have been injured in course of occurrence.

Considering the nature of accusation and the stage of the case, I am not inclined to grant bail to the petitioner. Accordingly, prayer for bail of the petitioner in connection with Kasim Bazar P.S. Case No. 107 of 2018 corresponding to Sessions Case No. 266 of 2018 is rejected.

The trial court is directed to take all possible steps to expedite the trial and conclude the same, preferably within a



period of two months from the date of receipt/production of copy of this order.

The District Magistrate, the Superintendent of Police and the Civil Surgeon, Munger are directed to ensure the production of the remaining prosecution witnesses i.e. the investigating officer and the doctor on the date fixed in the case by the trial court so that the trial could be concluded within the stipulated period of two months.

Let a copy of order be communicated to the District Magistrate, the Superintendent of Police and the Civil Surgeon, Munger for needful.

(Sudhir Singh, J)

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