

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31297 of 2019

Arising Out of PS. Case No.-771 Year-2017 Thana- HILSA District- Nalanda

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MAINU @ MANNU @ SHAILENDRA SINGH Son of Late Sagar Singh
Resident of Village - Makhdumpur, P.S.- Karai Parsurai, Dist.- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pramod Kumar

For the Opposite Party/s : Mr.Tarun Prasad Mandal

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 05-08-2019 Heard learned counsel for the petitioner and the

learned counsel for the State .

The petitioner seeks bail in Hilsa P.S. case no. 771 of
2017 instituted for the offence under Section 341, 320, 109/34
of the IPC and Section 27 of the Arms Act.

The prayer for bail of the petitioner was earlier
rejected by co-ordinate Bench of this Court vide order dated
4.7.2018 passed in Cr. Misc. no. 30576 of 2018.

In the written report, it is alleged that on the date of
occurrence petitioner along with co-accused Guddu @ Rajesh
kumar had called the father of informant, namely, Gouri
Shankar Singh to Hilsa for preparing papers relating to land. It
is further alleged that after requesting the lawyer for
preparation of papers, the informant with his father were



returning home on a motorcycle. It is further alleged that the informant took his son, namely Mrityunjay Joshi with him and at about 2.50 PM, as soon as they reached near the Lohanda village petitioner and co-accused Guddu @ Rajesh kumar stopped the motorcycle of informant. Thereafter, co-accused Surendra Singh also appeared from road side ditch and on his order co-accused Guddu @ Rajesh shot fire from his pistol from blank range on the left temple and thereafter the petitioner also made firing causing injury in the *panjara* of father of the informant. The accused persons thereafter fled away on motorcycle towards diyawan.

Case diary has been received, wherein, the postmortem report of the deceased is available The doctor has found lacerated wound 2"x1" over right side parietal bone wound of exit. A lacerated circular 1½" x 1" over left side back of chest blackening wound of entry – A pellet embedded under right shoulder.

Report called for from the court below has been received from which it appears that three witnesses have already been examined in this case.

In such circumstances, keeping in view the specific allegation against this petitioner, this Court is not inclined to



grant bail to the petitioner at this stage. The prayer for bail of the petitioner stands rejected.

The petitioner is in custody since 12.12.2017.

Since the trial has progressed and three witnesses have already been examined in this Case, trial Court is directed to expedite the trial and make efforts to conclude the same as early as possible preferably within a period of nine months from the date of receipt of copy of this order either by giving short adjournment or by fixing the case on day-to-day basis and send compliance report to this Court.

Petitioner may renew his prayer for bail in the event trial is not concluded within the aforesaid period.

(Sanjay Priya, J)

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