

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48529 of 2019

Arising Out of PS. Case No.-434 Year-2018 Thana- BARH District- Patna

CHANDAN KUMAR Son of Krishna Mahto @ Krishna Prasad Resident of
Village- Chondi, Police Station- Barh and District- Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Kumar No2

For the Opposite Party/s : Mr.Dr. Ajeet Kumar

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

4 20-11-2019 Heard learned counsel for the parties.

The petitioner is in custody in connection with Barh P.S. Case No. 434 of 2018 registered for the offence punishable under Sections 302, 307 and 34 of the Indian Penal Code and Section 27 of the Arms Act.

Learned counsel appearing on behalf of the petitioner has submitted that there are three versions in respect of the same occurrence as can be seen from the F.I.R of the present case, F.I.R of Barh P.S. Case No.435 of 2018 and confessional statement of one Jai Kumar before the police, who is said to have confessed his involvement in commission of the offence.

The father of the deceased is informant in the present case. He has alleged in the F.I.R that in the occurrence which



had taken place in his presence within his view, the petitioner had shot at his son which led to his death. In the subsequent F.I.R, which has been registered on the basis of statement of Leela Devi in which the informant has been made accused, allegedly her son Ravi Kumar was attacked. This is to be noticed that Leela Devi mother of the Ravi Kumar @ Ravi Vidyarthi.

It appears from the F.I.R that F.I.R of Barh P.S. Case No. 434 of 2018 that the informant is an eye witness of the occurrence who himself sustained firearm injury thereafter he had taken his son to hospital, immediately after the occurrence. There being direct allegation against the petitioner of having shot at the deceased, I am not inclined to grant him privilege of regular bail at this stage.

It is however, observed that if charge-sheet is not framed within a period of six months from today, the petitioner shall be at liberty to renew the prayer of bail.

It goes without saying that the Court below shall make endeavor to expedite the conclusion of the trial preferably within one year from the date of receipt/ production of a copy of this order.

Petitioner shall be at liberty to approach this court for



renewal of prayer of bail if there is no substantial progress is
made in a year in the case.

(Chakradhari Sharan Singh, J)

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