

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.74237 of 2018

Arising Out of PS. Case No.-317 Year-2017 Thana- DURGAWATI District- Bhabhua
(Kaimur)

Madhav Pandey, Son of Nirmal Kumar Pandey, Resident of Village-
Kalyanpur, Police Station- Durgawari, District- Kaimur at Bhabua.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Narendra Kumar, Advocate

For the Respondent/s : Mr. Binod Kumar, APP

Mr. Perwej Khan, Advocate

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3/ 11-01-2019

Heard learned counsel for the petitioner and learned

APP for the State as well as counsel for the Informant.

Petitioner seeks bail in **Durgawati P.S. Case No.317 of 2017** instituted for the offence under Section(s) 448, 307/34, 302 Indian Penal Code and Section 27 of the Arms Act pending in the Court of the **Sessions Judge, Kaimur at Bhabua.**

It is alleged in the written report by the informant that on the date of occurrence this petitioner along with other co-accused, Sunil Pandey, started making firing at him. They fired three rounds. Two firing crossed from near the informant and third fire hit in his chest on account of which he became injured. Both the persons fled away. He has stated that he has identified all the accused persons in the light. He subsequently died in the hospital. Fard-beyan was given by the informant, who subsequently died. Therefore, the same has become relevant



under Section 32 of the Evidence Act.

In such circumstances, this Court is not inclined to enlarge the petitioner on bail.

Prayer of the petitioner for grant of bail is **rejected at this stage.**

Counsel for the informant submits that five witnesses have already been examined in the case. The trial Court is directed to expedite the trial and make all efforts to conclude the same as early as possible.

(Sanjay Priya, J)

J. Alam/-

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