

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 7306 of 2020

Arising Out of PS. Case No.-135 Year-2009 Thana- Hilsa District- Nalanda

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Rangu Bind son of Chhote Bind Resident of Village- Belaundhapar, P.S. Karai-Parsurai, Distt. Nalanda.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Sunil Prasad, Adv.

For the Opposite Party/s : Dr. Ajit Kumar, APP.

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

5	21-09-2020	Heard learned counsel for the petitioner and learned APP for the State, through video conferencing. The petitioner has filed the instant application for grant of regular bail in connection with Hilsa (Karai-Parsurai) P.S. Case No. 135 of 2009 registered for the offence under sections 302 and 34 of the Indian Penal Code and section 27 of the Arms Act. As per allegation in the FIR, it is stated by the informant that the accused persons including the petitioner herein came variously armed with firearms etc and opened fire. It is stated that while accused Chhote Bind fired with his rifle hitting the younger brother of the informant, the petitioner herein fired from his pistol as a result of which the younger brother of the informant fell down injured. It is submitted by learned counsel for the petitioner that so far as the allegation against Chhote Bind is concerned, he is
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		stated to have fired on the chest of the deceased which was the cause of death. So far as the petitioner is concerned, his firing is stated to have hit the right hand of the deceased. Thus at best allegation under section 307 of the Indian Penal Code would be made out. It is submitted that the allegations are absolutely false and concocted and the petitioner is in custody since 19.8.2019. The application for bail is opposed by learned APP for the State. Having heard learned counsel for the parties and on going through the records of the case it transpires that the petitioner is also one of the assailants of the deceased. Further in the case/FIR of the year 2009, the petitioner absconded for a period of 10 years. On enquiry by the Court, it is stated by learned counsel for the petitioner that as per his instructions, only one prosecution witness has been examined. In the instant case, the Court is not inclined to enlarge the petitioner on bail and, as such, the application for bail is rejected. The learned Court below is directed to expedite the trial.
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(Partha Sarthy, J)

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