

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18929 of 2020

Arising Out of PS. Case No.-610 Year-2018 Thana- LAHERIYASARAI District- Darbhanga

VIKASH KUMAR JHA @ VIKASH JHA Son of Vishnukant Jha @ City
Boss, Resident of Mohalla - Balbhadrapur, P.S.Laheriasarai, District-
Darbhanga

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Shama Sinha, Advocate

For the Opposite Party/s : Mr.Nawal Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

(The proceedings of the Court are being conducted through Video Conferencing and the Advocates joined the proceedings through Video Conferencing from their residence.)

3 16-09-2020 Heard learned counsel for the parties.

Petitioner seeks bail in a case registered for the offence punishable under Sections 307/34 of the Indian Penal Code. Section 27 of the Arms Act and later on Section 302 of Indian Penal Code was also added.

Allegation against the petitioner is to have fired on the abdomen of brother of the informant as a result of which he suffered injury and died during treatment.

Earlier also, petitioner had moved this Court for grant of regular bail which was rejected vide Annexure 1.

Vide order dated 17.07.2020, a report with regard to stage of trial was called for from the court below and the report



of court below has come and marked as “X”. From the report of court below, it appears that petitioner is not co-operating in the trial, as such, even charges could not be framed against the accused persons.

It has been submitted that petitioner is in custody since 24.12.2018.

Considering the facts and circumstances of the case and nature of allegation and also the fact that petitioner is not co-operating in the trial, I am not inclined to enlarge the petitioner on bail at this stage. Hence, the prayer for bail of the petitioner is rejected.

However, after framing of charges, the petitioner would be at liberty to renew his prayer for bail.

(S. Kumar, J)

Sanjay/-

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