

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27159 of 2020

Arising Out of PS. Case No.-1 Year-2016 Thana- NIMCHAKBATHANI District- Gaya

MD. SHAKIL @ MD. SHAKIL AHMAD Son of Md. Alidaz Miyan Resident
of Village - Manjaul, P.S.- Neem Chak, District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ansul

For the Opposite Party/s : Mr. Ram Sewak Choudhary, APP.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 01-12-2020 Due to COVID-19 Pandemic, the matter is being
taken up by way of Virtual Court proceeding.

The matter has been listed under the heading 'For
Orders' under the orders of Hon'ble the Chief Justice.

Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in Neemchak Bathani P.S.
Case No. 01 of 2016 instituted for the offences under Sections
302/34 of the Indian Penal Code and 27 of the Arms Act.

The prosecution case in short is that the accused
persons, variously armed, fired at the father of the informant due
to which he received gun shot injury and later died.

It has been submitted on behalf of the petitioner that
the petitioner is in custody since 12.2.2020. There is no



allegation of tampering of witnesses alleged against the petitioner. Charge-sheet has been submitted in the present case. The petitioner has falsely been implicated in the present case due to previous enmity. The allegation of assault by the petitioner is denied by him. The informant is not an eye witness to the alleged occurrence.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R. There is specific allegation against the petitioner of firing upon the victim. The post-mortem report shows that the victim died due to fire arms shot made by the petitioner and co-accused. One of the victim, who sustained injury in course of occurrence, has also supported the allegations made in the F.I.R.

Considering the fact that the petitioner is one of the assailants, I am not inclined to grant bail to the petitioner. The same is rejected. The Trial Court is directed to take steps conclude the trial at the earliest preferably within nine months from the date of receipt/production of a copy of this order.

(Sudhir Singh, J)

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