

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30754 of 2020

Arising Out of PS. Case No.-173 Year-2019 Thana- CHARPOKHARI District- Bhojpur

Satya Narayan Chaudhary Son of Khaderan Chaudhary Resident of Village -
Bagahi, P.S.- Charpokhari in the district of Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Pramod Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

4 21-12-2020 This matter has been taken up in virtual Court proceeding.

Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

The petitioner is in custody in connection with Charpokhari P.S. Case No.173 of 2019, a case under Section 302/120B of the Indian Penal Code, pending in the Court of Chief Judicial Magistrate, Bhojpur at Ara.

According to FIR, the petitioner is assailant of the brother of the informant causing fire-arm injury at the chest. The post mortem report would reveal that the doctor has found consistent fire-arm injury.

Learned counsel for the petitioner submits that during investigation some of the prosecution witnesses stated that there



was dispute with Mr. Pankaj Upadhyay and Pankaj Upadhyay was behind the conspiracy of commission of the occurrence alleged. Moreover, the informant does not appears to be an eyewitness of the occurrence. The petitioner is in custody since 06.02.2020. Investigation of the case is already complete.

Considering the direct allegation against the petitioner, I am not inclined to enlarge the petitioner on bail. Hence, the prayer for bail is refused. The trial Court is directed to expedite the trial. The petitioner may renew the prayer for bail if the trial is not concluded within nine months.

The Superintendent of Police, Bhojpur at Ara, is directed to ensure production of the prosecution witnesses before the trial Judge.

Let a copy of this order be sent to the Superintendent of Police, Bhojpur at Ara.

(Birendra Kumar, J)

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