

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63804 of 2019**

Arising Out of PS. Case No.-511 Year-2009 Thana- LAKHISARAI District- Lakhisarai

BAIJNATH SINGH @ SHYAM NANDAN SHARMA S/o Sri Deoki Singh
@ Deoki Nandan Singh R/o village- Olipur, P.S.- Pipariya, District-
Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhay Shankar Singh

For the Opposite Party/s : Mr.Damodar Prasad Tiwary

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER**

5 04-03-2020 Heard both sides.

The petitioner seeks bail in S.T. No. 88/2019, arising out of Lakhisarai P.S. case No. 511/2009, registered under Section 341, 324, 326, 307, 120B of the Indian Penal Code and u/s 27 of Arms Act. Later on Section 302 of the IPC was added on 21.10.2009.

The learned counsel for the petitioner submits that police after investigation submitted final form against Dhilan Singh finding the accusation false. It is submitted that petitioner is aged about 77 years but it appears that police found the case true against the petitioner and petitioner remained absconding for more than 10 years. The petitioner surrendered only on 15.05.2019. There is specific allegation against the petitioner



that it was he who fired on the brother of the informant and brother of informant died during the course of treatment. The trial court has also sent report that the trial is in progress and three witnesses have already been examined.

Considering the facts aforesaid and the nature of allegation made against the petitioner, I am not inclined to enlarge the petitioner on bail. Accordingly, the same is rejected.

The trial court is directed to expedite the trial, hold the trial on day to day basis and conclude the same within one year from the date of receipt of this order.

The Superintendent of Police, Lakhisarai is directed to ensure the attendance of prosecution witness during the course of trial so that trial must be concluded within one year.

Let a copy of this order be sent to the Superintendent of Police, Lakhisarai and the trial court for information and needful.

(Prabhat Kumar Jha, J)

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