

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75563 of 2019

Arising Out of PS. Case No.-340 Year-2018 Thana- BARAULI District- Gopalganj

RAJNISH PANDEY Son of Anil Pandey Resident of Village - Batardeh, P.S.-
Barauli, Distt - Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jagnnath Singh
For the Opposite Party/s : Mr.Anil Kumar

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

3 04-06-2020 Heard learned counsel for the parties.

This application for regular bail arises out of Barauli P.S. Case No 340 of 2018, disclosing offences punishable under Section 307/34 of the Indian Penal Code and 27 of the Arms Act.

The petitioner had earlier approached this Court for grant of regular bail, which was rejected by an order dated 15.05.2019, passed in Cr. Misc. No. 32363 of 2019 with an observation that he shall be at liberty to renew his prayer for bail after six months, if there was no substantive progress in the trial.

Learned counsel appearing on behalf of the petitioner has submitted that as per the F.I.R., the occurrence had taken place at 5 P.M. in the evening of 26.12.2018, whereas the F.I.R.



came to be registered on the next date at 4.15 P.M., despite the fact that the Police Station is only 5 kms away from the place of occurrence. He has submitted that the informant is the father of the victim, who had sustained firearm injury. Implication of the petitioner is based on the information which the informant had received from two persons, who were allegedly chance witnesses to the occurrence. He has further argued, referring to the order sheet of the Court below that there has not been substantial progress in the trial. The petitioner has remained in custody since 26.03.2019. He does not have any criminal antecedent as stated in paragraph 3 of the application.

Considering the facts and circumstances, this application is allowed.

Let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-XIV, Gopalganj in connection with Barauli P.S. Case No. 340 of 2018.

(Chakradhari Sharan Singh, J)

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