

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74514 of 2019

Arising Out of PS. Case No.-155 Year-2019 Thana- KARAHGAR District- Rohtas

RAJESH DUBEY, aged about 35 years, Male, Son of Rajesh Dubey, Resident of Village - Sheopur, P.S.- Karaghar, Distt.- Rohtas at Sasaram.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Rajani Kant Pandey, Advocate.
For the Opposite Party : Mr.Uday Chand Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 16-03-2020 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner seeks bail in a case for the offence registered under Sections 302/34 of the IPC and 27 of the Arms Act.

The prosecution story, in brief, is that three named accused persons and some unknown accused persons pulled the husband of the informant Late Kameshwar Yadav from his house on the gun point and shot him dead by their firearms.

It has been submitted by learned counsel for the petitioner that the petitioner is languishing in custody since 08.06.2019. The petitioner has falsely been implicated in the present case. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses



alleged against the petitioner. There is land dispute between the parties. There is allegation of assault alleged against five accused persons including the petitioner. General and omnibus allegation has been made against the petitioner.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R. The informant is an eye witness to the alleged occurrence. The deceased was dragged out from his house by the petitioner and other accused persons and thereafter he was shot which led to his death. The informant is the wife of the deceased.

Considering the nature of accusation, I am not inclined to grant bail to the petitioner. The same is rejected in connection with Kargahar P.S. Case No. 155 of 2019 bearing its Sessions Trial No. 470 of 2019, pending in the court of learned Additional Sessions Judge-XV, Rohtas at Sasaram and/or other transferee court.

The court below is directed to take all necessary steps to conclude the trial within a period of nine months from the date of receipt/production of copy of this order.

(Sudhir Singh, J)

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