

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75145 of 2019

Arising Out of PS. Case No.-173 Year-2019 Thana- JAKKANPUR District- Patna

Vijay Nat Son of Late Sakal Nat Resident of village-Mathurapur, P.S.-
Khirimore, District-Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pravin Kumar

For the Opposite Party/s : Mr.Jagdhari Prasad

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 04-06-2020 The matter has been taken up through virtual court proceeding.

Heard learned counsels for the petitioner and the State.

The petitioner, who is languishing in custody since 08.07.2019, has preferred the present application for grant of bail in a case initially registered for the offences punishable under Section 307 of the IPC and Section 27 of the Arms Act. Subsequently, Section 302 IPC was also added.

The prosecution case, as per the fardbeyan of Puja Devi, recorded by C.K. Azad, S.I., of Kankarbag Police Station on 25.03.2019 at 9.50 P.M., is to the effect that on the same day at 3.45 P.M., the husband of the informant Vijay Nat, the petitioner came in inebriated condition and resorted to fire from



his pistol, causing injury to the informant and her one and half years old daughter, Nisa Kumari, who subsequently succumbed to the injuries.

It is submitted by learned counsel for the petitioner that even assuming the accusation to be true, the petitioner had no intention to kill the child or the informant. The petitioner is languishing in custody since 08.07.2019 and the investigation has already been concluded and there is no likelihood of trial being concluded in near future. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP submits that the accusation of firing is specific against the petitioner.

Considering the nature of accusation when the wife had to lodge the FIR against her husband, who is a police officer, who, in inebriated condition caused firearm injury to his wife and killed his daughter by causing firearm injury, this court is not inclined to grant bail to the petitioner for the present.

Accordingly, the prayer for bail of the petitioner, in connection with Jakkanpur P.S. Case No. 173 of 2019, pending in the Court of learned ACJM-I, Patna, is rejected.

It is expected from the learned trial court to expedite



the trial and the conclude the same within a period of nine months.

If the trial will not be concluded within a period of nine months, the petitioner will be at liberty to renew his prayer for bail.

The application is dismissed.

(Dinesh Kumar Singh, J)

Amrendra/-

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