

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79918 of 2019

Arising Out of PS. Case No.-280 Year-2019 Thana- KALYANPUR District- Samastipur

CHOUDHARY AJAY SHANKAR @ LOHA SINGH Son of Sri Agendra Narayan Singh At present resident of Guru Kripa, West of Dharmpur High School, P.S. - Mufassil, District- Samastipur, Permanent resident of Village - Karpoorigram, P.S.- Mufassil, District- Samastipur

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jainandra Kumar

For the Opposite Party/s : Mr.Anuj Kumar Shrivastava

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 08-09-2020 Due to COVID-19 Pandemic, the matter is being taken up by way of virtual Court proceeding.

The matter has been listed under the heading ‘For Orders’ under the orders of Hon’ble the Chief Justice.

Heard learned counsel for the petitioner and learned APP for the State.

The petitioner is apprehending his arrest in connection with Kalyanpur P.S. case No.280 of 2019 registered under Sections 302/34 of the Indian Penal Code and 27 of the Arms Act, pending in the court of C.J.M., Samastipur.

Allegation is that the accused persons including the petitioner fired upon the informant’s uncle, namely, Choudhary Abhay Shankar causing bullet injury on his body and fell down



and he was taken to the Hospital, where the doctor declared him dead.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. There is no specific allegation against the petitioner. The petitioner is a government employee. The allegation is against the son of the petitioner.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R. and there is specific allegation against the petitioner along with other co-accused persons of firing upon the deceased. The postmortem report corroborates with the allegations made in the F.I.R.

Considering the aforesaid facts and circumstances, I am not inclined to grant anticipatory bail to the petitioner. The same is rejected.

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

The District Magistrate, Samastipur and the Superintendent of Police, Samastipur are also directed to take



necessary steps to produce the witnesses on the date fixed by the Trial Court so that the trial could be concluded within the stipulated period.

Let this order be communicated to the District Magistrate, Samastipur and the Superintendent of Police, Samastipur.

(Sudhir Singh, J)

Narendra/-

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