

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81460 of 2019

Arising Out of PS. Case No.-65 Year-2019 Thana- BIHRA District- Saharsa

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ASHUTOSH ROY @ BHAGWAN ROY (M), aged about 50 years, son of
Late Dinanath Ray @ Dinanath Roy, Resident of Ward No. 13, Village- Murli
(Murli Basantpur), P.S.- Bangaon, District- Saharsa.

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Madhav Jha, Advocate

For the Opposite Party/s : Mr. M.K. Nirala, APP

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

7 16-10-2020 Heard learned counsel for the petitioner and

learned APP for the State through Virtual Court Proceeding.

In this case, the petitioner is seeking regular bail in
connection with Bihra P.S. Case No. 65 of 2019, registered for
the offence under Sections 341, 323, 379, 384, 386 and 307/34
of the Indian Penal Code and under Section 27 of the Arms Act.

The petitioner is a history-sheeter having six
criminal cases over his head. Allegation has been made that
certain persons came to the place where the nephew of the
informant was filling the soil in his land and demanded
extortion by saying that they are the men of Bhagwan Roy
(present petitioner), when the nephew of the informant has
given call to the informant they fled away. Therafter, the



informant and people of the village came there and while they were returning, the nephew of the informant identified the said persons, who were taking tea then, the informant side tried to catch them but, they fled away and one of them fired upon the informant side, which hit the informant.

Looking to the nature of allegation as well as criminal history of the petitioner, this Court is not inclined to grant bail to the petitioner. Accordingly, the prayer for bail is rejected. However, the Trial Court is directed to conclude the trial within a period of one year after restoration of normal Court proceeding. The petitioner is at liberty to renew the prayer for bail after examination of informant as well as his nephew.

(Shivaji Pandey, J)

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