

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12060 of 2021

Arising Out of PS. Case No.-571 Year-2019 Thana- BIHTA District- Patna

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PINTU NUT Son of Sri Umesh Nut Resident of Village- Raghopur, P.S.-
Bihta, Distt- Patna.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms.Prachi Pallavi

For the Opposite Party/s : Mr.Bal Mukund Pd. Sinha, APP

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

3 04-08-2021 This matter has been taken up for hearing online
because of COVID-19 pandemic restrictions.

Heard learned counsel for the parties.

This application for grant of regular bail arises out of
Bihta P.S. Case No. 571 of 2019, disclosing offences punishable
under Sections 302, 307, 326/34 of the Indian Penal Code and
Section 27 of the Arms Act.

The petitioner had earlier approached this Court for
grant of regular bail, which was rejected by an order dated
19.08.2020 passed in Cr. Misc. No. 20359 of 2020.

The occurrence is said to have taken place in a
marriage party when the petitioner and other co-accused persons
are said to have allegedly started indiscriminate firing. It is



further alleged that the fire shot at by the petitioner hit the informant in his right leg. One person is said to have died because of the injury caused by a co-accused.

Case diary has been called for, which is there on record.

Mr. Satybir Bharti, learned counsel appearing on behalf of the petitioner has submitted that the petitioner is in custody since 04.12.2019 and there is no likelihood of trial being concluded expeditiously. He has further argued that no material has come during the course of investigation that the informant received any fire arm injury inasmuch as there is no injury report available to the said effect.

Learned Additional Public Prosecutor appearing on behalf of the State while opposing the prayer for bail has submitted that once this Court has rejected the petitioner's application for regular bail, it may not reconsider the same as the circumstances have not changed.

Be that as it may, considering the period of petitioner's incarceration, submission on behalf of the petitioner that the trial is not likely to conclude in near further and there is no injury report available in support of the case of prosecution that the informant had received any fire arm injury, a case for



grant of regular bail is made out.

This application is, accordingly, 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
ACJM-I, Danapur in Bihta P.S. Case No. 571 of 2019.

(Chakradhari Sharan Singh, J)

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