

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13994 of 2021**

Arising Out of PS. Case No.-362 Year-2018 Thana- MASHRAK District- Saran

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DHIRAJ KUMAR Son of Rajvanshi Prasad, a resident of Village- Magahi,
P.S.- (Basantpur O.P.) Lakari Nabiganj, District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Arvind Kumar Mouar, Adv.

For the Opposite Party/s : APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 04-08-2021 Heard learned counsel for the parties through video conferencing.

The petitioner has renewed his prayer for bail in connection with Mashrakh P.S. Case no.362 of 2018 registered under section 307 and 34 of the Indian Penal Code and sections 25(1-B)(a), 26 and 35 of the Arms Act.

As per the prosecution case, the petitioner is stated to have shot the informant in his head causing injury.

It is submitted by learned counsel appearing for the petitioner that the earlier application for bail of the petitioner was dismissed vide order dated 20.2.2020 (Annexure-1). In spite of the petitioner being in custody since 7.12.2018, there is no progress in the learned court below and no chance of the trial concluding in the near future. It is further submitted that the



narration by the informant in the F.I.R. appears to be improbable and the petitioner has been falsely implicated in the case under a misunderstanding.

Heard learned A.P.P. for the State.

As per the report received from the learned court below, charge has been framed in the case on 23.1.2020, however no prosecution witness has been examined.

Having heard learned counsel for the parties and taking into consideration the allegation against the petitioner of having shot the informant in his head which is supported from the material that has transpired in course of investigation including the injury report of the informant, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

Learned trial court is directed to expedite the trial.

(Partha Sarthy, J)

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