

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24962 of 2021

Arising Out of PS. Case No.-408 Year-2018 Thana- MANER District- Patna

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VIJAY RAI Son of Kailash Rai Resident of Village - Goraiya Asthan Tata Colony, P.S.- Maner, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Ramakant Sharma, Sr. Advocate
		Mr. Ajay Kr Singh No.1, Advocate
For the Opposite Party/s :		Mr. Upendra Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 16-12-2021 Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 302, 307 and other sections of the Indian Penal Code and other section 27 of the Arms Act.

As per the prosecution case, the accused Manoj Kumar and the petitioner herein are stated to have fired on the brother of the informant as a result of which he fell down injured and died.

It is submitted by learned senior counsel for the petitioner that the petitioner has been falsely implicated in this case. The informant is not an eye-witness to the occurrence. Referring to the deposition of the prosecution witnesses in



course of trial which has been brought on record as annexure to the supplementary affidavit, it is submitted that all the ten prosecution witnesses including the informant examined so far have turned hostile and there is no chance of the trial ending in conviction. Seven witnesses remain to be examined. The petitioner is in custody since 8.9.2020 and has no criminal antecedent.

Heard learned APP for the State.

Having heard learned counsel for the parties and on going through the materials on record specially the allegation in the FIR of the petitioner and one another having fired at the brother of the informant leading to his death, 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.

In view of the contents of the deposition of the witnesses, liberty is granted to the petitioner to renew his prayer for bail if the trial is not concluded within six months.

(Partha Sarthy, J)

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