

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30816 of 2021**

Arising Out of PS. Case No.-61 Year-2020 Thana- BARHARIA District- Siwan

CHHATIS TIWARI @ CHHTIS TIWARI S/o Bharat Tiwari Resident of
Village- Parwa, P.S.- Barharia, District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Anurag Saurav, Advocate
For the State	:	Mr. Bharat Bhushan, APP
For the Informant	:	Mr. Naresh Prasad, Advocate

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER**

4 23-12-2021 Heard learned counsel for the petitioner, learned
APP for the State and learned counsel for the informant.

The petitioner has preferred this application for grant
of regular bail in a case registered under sections 302 and 34 of
the Indian Penal Code and section 27 of the Arms Act.

As per the prosecution case, it is stated by the
informant that his son went with the petitioner and soon,
thereafter, gun shot was heard and on reaching the place of
occurrence he found his son has been shot dead.

It is submitted by learned counsel for the petitioner
that the petitioner has been falsely implicated in the case. Even
as per the allegation, there are no eye witness to the actual
occurrence and at best the case of the petitioner is of last seen.
The petitioner is in custody since 19.2.2020 and has no criminal



antecedent. The petitioner undertakes to cooperate in the trial.

The application for bail is opposed by learned APP for the State and learned counsel for the informant. It is submitted by learned counsel for the informant that the examination of prosecution witnesses have commenced and four witnesses have been examined on behalf of the prosecution. He states that there will be no delay in examination of the witnesses and the witnesses will be examined within a period of three months.

Having heard learned counsel for the parties and taking into consideration the facts of the case, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

The learned trial court is directed to expedite the trial and to conclude the same within a period of six months from the date of receipt of a copy of this order.

(Partha Sarthy, J)

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