

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20593 of 2020

Arising Out of PS. Case No.-259 Year-2018 Thana- DARBHANGA District- Darbhanga

BIPIN RAY Son of Surendra Rai Resident of Mohalla - Mishra Tola, Nag
Mandir, P.S.- Town, District - Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjit Kumar Yadav, Adv.

For the Opposite Party/s : Mr. Choubey Jawahar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 03-02-2021 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has renewed his prayer for bail in connection with Darbhanga Town P.S. Case no. 259 of 2018 registered under sections 302 and 34 of the Indian Penal Code and section 27 of the Arms Act.

As per allegation in the FIR, the petitioner is stated to have shot the son of the informant in his head leading to his death.

It is submitted by learned counsel for the petitioner that the earlier application for bail of the petitioner was rejected vide order dated 21.10.2019 (Annexure-1) passed in Cr. Misc. no. 44272 of 2019. It is submitted that co-accused Md. Arzoo, who along with the petitioner have been alleged to have shot at



the deceased, has been granted bail vide order dated 15.12.2020 passed in Cr. Misc. No. 33609 of 2020. It is submitted that there is no chance of the trial concluding in the near future.

The application for bail is opposed by learned APP for the State, who submits that bail has been granted to Mr. Arzoo, taking into consideration that the main allegation of firing is against the petitioner herein.

A report was called for from the learned Trial Court with respect to stage of trial. As per the report received, five out of thirteen witnesses have been examined on behalf of the prosecution.

In view of the facts and circumstances of the case including the petitioner being the assailant of the deceased, the Court is not inclined to enlarge the petitioner on bail and, as such, the prayer for bail stands rejected.

Learned Trial Court is directed to expedite the trial.

(Partha Sarthy, J)

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