

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29841 of 2020

Arising Out of PS. Case No.-38 Year-2018 Thana- LAKHISARAI District- Lakhisarai

AWADHESH BIND, aged about 34 years (Male), Son of Late Ghatim Bind
@ Late Narayan Bind, Resident of Village-Khagaur, P.S.- Lakhisarai, District
- Lakhisarai.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : M/S. Ajay Kumar Thakur and Sayed Imran Ghani,
Advocates.

For the Opposite Party : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 11-01-2021 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in a case for the offence
registered under Sections 302, 120(B)/34 of the I.P.C. and 27 of
the Arms Act.

The prosecution story, in brief, is that on 27.01.2018
at about 9.00 P.M., one Kunal Yadav and Rohit Kumar came to
the informant's house and taken away her husband for eating
Khichadi. The informant also went with her husband having
Torch in her hand. As soon as, her husband and the informant
reached near *Bind Tola*, all the accused persons surrounded him
and started firing upon him. It is further alleged that co-accused
Ranjit Bind and Sanjeet Bind shot fire on the head of her



husband. Thereafter, Awadhesh Bind (petitioner) fired on the stomach of her husband. Thereafter, co-accused Md. Raja assaulted on the head of her husband. After the occurrence, the informant raised alarm then co-accused Abhishekh Kumar @ Chottu Mandal and Ravi Bind pushed the informant from there. Other unknown persons have not been identified by the informant. The informant claimed that F.I.R. named accused persons under conspiracy, killed her husband.

Earlier bail application of the petitioner was rejected by the then other Co-ordinate Bench of this Court vide Cr. Misc. No. 15568 of 2019 under order dated 24.04.2019 taking into account that the petitioner is the assailant of the deceased, annexed as Annexure-1 to the present application.

A report was called for from the court below regarding the present stage of the case. It has been reported that the examination of prosecution witnesses have already been closed and the case is fixed for defence argument.

Considering the nature of accusation and the stage of the case, I am not inclined to grant bail to the petitioner. The same is rejected in connection with Lakhisarai P.S Case No. 38/2018, pending in the court of learned Additional and Sessions Judge-I-cum-Special Judge, Lakhisarai.



The court below is directed to take all necessary steps
to conclude the trial at the earliest.

(Sudhir Singh, J)

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