

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8409 of 2021

Arising Out of PS. Case No.-71 Year-2014 Thana- GOPALPUR District- Patna

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PRAMOD RAI @ PRAMOD KUMAR Son of Sri Lal Babu Rai @ Lal Babu
Ray Resident of Village - Shahpur, Police Station - Gopalpur, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. D.K.Sinha, Sr. Adv.
Mr. Rabi Bhushan Prasad no.1, Adv.
For the Opposite Party/s : Dr. Mritunjay Kumar Gautam, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 28-07-2021 Heard learned counsel for the parties through video conferencing.

The petitioner has filed the instant application for grant of regular bail in connection with Gopalpur P.S. Case No.71 of 2014 registered under section 302 and other sections of the Indian Penal Code and section 27 of the Arms Act.

As per allegations in the F.I.R., it is stated that the firing by the petitioner hit the brother of the informant in his neck.

It is submitted by learned Senior counsel appearing for the petitioner that the petitioner has been falsely implicated in the case. The informant is not an eye witness to the occurrence. One of the eye witnesses namely Manish Kumar has



not named the petitioner as the assailant. The cause of death in the post-mortem report is chest injury caused by firearm whereas the petitioner is alleged to have fired hitting the deceased in his neck. In the trial, only one prosecution witness has been examined and he has been declared hostile. The petitioner is in custody since 16.10.2019, has no criminal antecedent and there is no chance of the trial concluding in the near future.

The application for bail is opposed by learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the direct allegation against the petitioner of having fired hitting the brother of the informant on his neck, 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.

(Partha Sarthy, J)

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