

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48205 of 2021

Arising Out of PS. Case No.-31 Year-2020 Thana- MAHINDWARA District- Sitamarhi

ABHISHEK KUMAR Son of Ram Vinod Ray @ Vinod Ray Resident of
Village - Sugridih, P.S. - Mahindwara, District - Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. N.K. Agrawal, Sr. Adv.

Mr. Birendra Kumar, Adv.

For the Opposite Party/s : Mr. Yogendra Kumar Singh, Adv.

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 24-11-2021

Heard learned counsel for the parties.

The petitioner has renewed his prayer for bail in connection with a case registered under sections 307, 120B and 34 of the Indian Penal Code and sections 25 (1-B)(a) and 27 of the Arms Act.

The allegation against the petitioner is of having fired on the informant hitting him in his back.

It is submitted by learned Senior Counsel appearing for the petitioner that the earlier application for bail of the petitioner was rejected vide order dated 4.2.2021 (Annexure-1) passed in Cr. Misc. no.32832 of 2020. It is submitted that the manner of occurrence as described in the F.I.R. together with the time of occurrence, the whole occurrence becomes



unbelievable. In any case the injuries have been found to be simple in nature. The petitioner is in custody since 16.4.2020 and has no criminal antecedent. There is no chance of the trial concluding in near future.

Heard learned A.P.P. for the State.

As per the report received from the learned trial Court, three of the four chargesheet witnesses have been examined and the trial is likely to conclude within two months.

Having heard learned counsel for the parties and taking into consideration the direct allegation against this petitioner, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

In view of the submissions made together with the contents of the report received from the learned trial Court, the learned trial Court is directed to expeditiously conclude the trial preferably within a period of three months from the date of receipt of a copy of this order.

(Partha Sarthy, J)

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