

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.3442 of 2021**

Arising Out of PS. Case No.-157 Year-2019 Thana- HATHAURI District- Samastipur

Mukesh Das @ Mangesh Das Son of Chalitar Das R/O- Ward No. 08, Kaina
Tola Bachhauli, Singhia, P.S.- Khanpur, District- Samastipur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Kundan Kumar, Advocate

For the Opposite Party/s : Ms. Indu Kumari Srivastava, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 09-04-2021 Learned counsel for the petitioner undertakes to
remove all the defects as pointed out by office within four
weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Petitioner in the present case is seeking regular bail in
connection with Hathauri P.S. Case No. 157/2019 registered for
the offences punishable under Section 302 of the Indian Penal
Code and Section 27 of the Arms Act.

As per prosecution story, the informant lodged a
written report before the S.H.O. Hathauri Police Station stating
that on 01.10.2019 her sister's husband Mukesh Das (petitioner)
reached her house searching his wife Soni Devi but not finding
her, thereafter he returned to his village and again came back to



her house at 7:00 P.M. and started fighting with the informant and asking about her wife, thereafter returned back and shot fired upon his father-in-law below his eye on which he succumbed serious injury, on alarm raised by the informant, nearby people assembled there. Informant alleged that her father-in-law and villagers disclosed that the petitioner has fired and fled away. The informant further alleged that her father-in-law was taken to hospital but in the mid-way he died.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in this case, there is no eye witness of the alleged occurrence and no incriminating article has been recovered from his possession.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

Having regard to the facts and circumstances of the case wherein the petitioner is the sole assailant, this Court is not inclined to grant regular bail to the petitioner.

Prayer for regular bail of the petitioner is, thus, refused.

The trial court is expected to proceed with the trial as expeditiously as possible and all efforts be taken to conclude the trial preferably within a period of nine months from today. The



Public Prosecutor Incharge of the case and the defence must
cooperate in early conclusion of trial.

This application stands disposed off accordingly.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

