

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9079 of 2021

Arising Out of PS. Case No.-79 Year-2020 Thana- HASPURA District- Aurangabad

Navin Ram @ Navin Kumar aged about 36 years, (Male) son of Mohan Ram, Resident of village-Phatehpur Tola Jhouribigha, Police Station Haspura, District- Aurangabad.

... .. Petitioner

Versus

The State of Bihar

... .. Opp Party

Appearance :

For the Petitioner	:	Mr. Ataul Haque Advocate
For the State	:	Mr. Ram Bilash Roy Raman APP
For the informant	:	Mr Ashok Kumar Adv.

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 07-07-2021 In view of the sudden resurgence of Covid-19 infection, there is limited functioning of the High Court and, therefore, the matter has been listed today for consideration through virtual mode.

2 Learned counsel for the petitioner is expected to honour his undertaking given in the instant case for depositing the requisite court fee and to remove the defects as pointed out by office when called upon to do so by the office.

3. Heard learned counsel for the petitioner, informant and learned counsel for the State

4. The petitioner seeks bail in Haspura PS Case No. 79 of 2020, instituted for the offence under Sections 147,148,149,302 and 120B of the Indian Penal Code and Section 27 of the Arms Act.

5. There is allegation that the petitioner has fired upon the deceased. The deceased has succumbed to the injuries.

6. The learned counsel for the petitioner submits that



implication is counter blast to the earlier prosecution arising out of Haspura P. S. Case No. 93 of 2016, wherein, the informant of the instant case had been made an accused by the petitioner's brother. Submission is that the informant's side were, in fact, the aggressor and parties are closely related to each other. Implication is based on subsisting dispute.

7. The learned counsel for the informant and learned APP representing the State have opposed the prayer for bail. It is submitted that the informant has stated the prosecution case as an eye-witness. Specific allegation of fatal assault is attributed against the petitioner. The petitioner has been in custody since 10.04.2020. The petitioner is earlier accused in two cases and has criminal antecedents also.

8. Considering the rival submissions, this Court, for the present, is not inclined to allow the prayer for bail of the petitioner. Accordingly, the application is rejected.

9. However, this Court would observe that the learned Trial Court should proceed with the trial expeditiously and without granting any undue adjournments so as to conclude the trial as quickly as possible

(Madhuresh Prasad, J)

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