

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.7170 of 2022**

Arising Out of PS. Case No.-28 Year-2021 Thana- SISWAN District- Siwan

Chandrama Pandey Son of Late Basudeo Pandey R/O Village- Mahual Mahal,  
P.S.- M.H.Nagar, District- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                          |   |                                  |
|--------------------------|---|----------------------------------|
| For the Petitioner/s     | : | Mr.Ramchandra Sahni, Advocate    |
| For the Opposite Party/s | : | Mr.Narendra Kumar Singh, APP     |
| For the Informant        | : | Mr.Bijay Prakash Singh, Advocate |

**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA**  
**ORAL ORDER**

3      10-10-2022                      Heard learned counsel appearing on behalf of the  
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period  
of four weeks from today.

The petitioner seeks bail in connection with Siwan  
P.S. Case No. 28 of 2021 registered for the offence under  
Section 302 of the Indian Penal Code and Section 27 of the  
Arms Act.

The accused/petitioner is named in the F.I.R. and is in  
custody since 29.01.2021.

The allegation against the petitioner is to commit  
murder of the husband of the informant, by causing fire arm  
injury, while on the way to her matrimonial house.



Learned counsel appearing on behalf of the petitioner submitted that petitioner has falsely been implicated in the present case due to admitted financial/property disputes. It is submitted that on different occasions, petitioner financially helped to informant and her family being maternal uncle and, as such, there is no occasion to commit murder, as alleged. While concluding the argument, it is submitted that petitioner is a man of clean antecedent and, moreover, investigation of this case is complete, for which, charge-sheet has been submitted, as such, there is no chance of tempering with the evidence.

Learned APP duly assisted by learned counsel appearing on behalf of the informant, while opposing the prayer of bail, submitted that informant is the eye witness of the occurrence, where there is specific allegation, against this petitioner, to fire upon her husband/deceased. It is further submitted that post-mortem report, showing fire arm injury, is also in corroboration with the allegation/manner of assault, as raised by informant.

In view of the facts and circumstances, as mentioned above, as allegation of firing, causing death of husband of the informant, is specific against this petitioner, wherein, informant is the eye witness of the occurrence, this Court is not inclined to



grant privilege of bail to the petitioner, at present.

Accordingly, the prayer for bail of the petitioner is rejected herewith.

However, the learned Trial Court is directed to conclude the trial, preferably, within a period of 09 (nine) months from the date of receipt of this order, by taking this matter on board, on day-to-day basis, if required.

The Superintendent of Police, Siwan, is directed to produce the charge-sheeted witnesses, as and when directed by the learned Trial Court, so as to conclude the trial within the aforesaid time period, as directed above.

**(Chandra Shekhar Jha, J)**

R.S.Sen/-

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