

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14962 of 2022

Arising Out of PS. Case No.-106 Year-2019 Thana- BELSAND District- Sitamarhi

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Ratan Kumar @ Nunu S/o Shobha Prasad @ Munindra Kumar Resident of
Village - Pandrahi, Police Station - Belsand, District - Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mrs. Madhubala Verma, Adv.

For the Opposite Party/s : Mr. Rana Randhir Singh, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

8 29-11-2022 Let the defect(s), if any, be removed within two weeks
from today.

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

The petitioner seeks regular bail in connection with
Belsand P.S. Case No. 106 of 2019, lodged under Sections 302,
379/34 of the Indian Penal Code read with Section 27 of the
Arms Act.

As per the prosecution case, the specific allegation
against the present petitioner is to fire on the head of the
informant's father. The allegation of firing is also against the
other accused persons about which narration is there in the
F.I.R. itself.

Learned counsel for the petitioner submits that

petitioner is innocent and has committed no offence. Learned counsel also submits that the deceased himself was a veteran criminal and there are 7 criminal cases pending against him and it may have happened that some other criminal has fired gunshot and name of the petitioner has been figured in this case. Learned counsel further submits that in the present case, the version of informant is changing during trial, relating to other accused persons. Learned counsel also submits that petitioner is in custody since 27.01.2022 and there are 7 criminal cases pending against him and he is on bail in all the cases and, charge-sheet has already been filed in this case.

Upon specific query whether charge has been framed or not, learned counsel for the petitioner submits that for other accused persons, charge has been framed but for petitioner, charge has not been framed.

Learned A.P.P. for the State opposes the prayer for bail and submits that for the present petitioner, charge has not been framed and if he shall be released then there shall not be any unnecessary delay in the trial as well.

In the present facts and circumstances of this case and the submissions made above, I am not inclined to grant bail to the petitioner, therefore, bail application of the petitioner is

hereby **rejected**.

Liberty is hereby granted to petitioner that petitioner may renew his prayer for bail 9 months after framing of charge.

Trial Court is directed to expedite the trial as earliest as possible, preferably within 9 months.

(Dr. Anshuman, J.)

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