

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28334 of 2021

Arising Out of PS. Case No.-190 Year-2018 Thana- TEGHRHA District- Begusarai

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RAUSHAN PATHAK S/o LATE RAM VILASH MISHRA R/o VILLAGE
DANIYALPUR STATION ROAD, P.S TEGHRA, DISTRICT BEGUSARAI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Thakur, Advocate. Mr. Shashank Shekhar, Advocate.
For the Opposite Party/s	:	Mr. Jharkhandi Upadhyay, APP.

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

6 11-04-2022 Heard the parties.

Heard learned counsel appearing on behalf of the
petitioner and learned A.P.P. for the State.

Let the defect(s), if any, be removed within two
weeks of the complete start of the physical Court in normal
course.

The petitioner seeks regular bail in connection with S.
Tr. No. 731 of 2018, arising out of Teghra P.S. Case No. 190 of
2018 for the offence punishable under Sections 304/34/120B of
the Indian Penal Code.

Prosecution story, in brief, is that two miscreants aged
between 20-26 years came at the hardware shop of the husband
of the informant and demanded a submersible pump. When the



staff of the shop were taking out the same, in the meantime, both the miscreants took out pistol from their waist and started indiscriminate firing on the husband of the informant, as a result of which, he sustained fire arm injury on his chest, stomach and other parts of the body. She immediately took her husband to the hospital, but subsequently he died. Before this incidence, one Venkatesh @ Baikatwa had called the husband of the informant to provide a submersible pump free of cost and when her husband showed inability for the same, he had disconnected the call threatening him.

Mr. Ajay Kumar Thakur, learned counsel appearing on behalf of the petitioner submits that there is no material against the petitioner which has come in course of investigation to implicate him in the alleged offence. Petitioner has already undergone about four years of custody.

Considering the criminal antecedent of the petitioner who is involved in eight criminal cases, I am not inclined to enlarge the petitioner on bail at this stage.

Accordingly, the present bail application is rejected.

Taking into consideration the period of custody already undergone by the petitioner, the trial court is directed to conclude the trial expeditiously well within a period of six



months.

If no substantial progress takes place in conduct of the trial within the aforesaid period, the petitioner, if so advised, may renew his prayer for bail.

(Purnendu Singh, J)

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