

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34657 of 2021

Arising Out of PS. Case No.-78 Year-2017 Thana- ANTICHAK District- Bhagalpur

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RAJEEV KUMAR @ RAJEEV KUMAR MANDAL Son of Bajrangi Mandal
Resident of Village - Tofil, P.S. Antichak, District Bhagalpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Jain, Adv.

For the Opposite Party/s : Mr. Anil Kumar Singh no.1, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 29-01-2022 Heard learned counsel for the parties through video conferencing.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 302, 120B and 34 of the Indian Penal Code and section 27 of the Arms Act.

As per the prosecution case, the accused persons are said to have come variously armed. The allegations against the petitioner is that he slit the throat of the informant's son with a dabiya while Anjani Mandal assaulted him with an axe. Jaikant Mandal fired on him leading to the death of informant's son on the spot.

It is submitted by learned counsel for the petitioner that the earlier application for bail of the petitioner was rejected vide order dated 17.1.2019 (Annexure-1) passed in Cr. Misc.



no.75576 of 2018. Referring to the post-mortem report, it is submitted that the cause of death is said to be haemorrhage and shock due to firearm injury. Further, against the allegations of assault on neck against this petitioner and one Anjani Mandal, only one injury has been found on the neck. The petitioner is in custody since 17.2.2018 and the trial has still not concluded.

A report was called for from the learned trial court. From the report received contained in letter dated 11.1.2022, eleven chargesheet witnesses have been examined on behalf of the prosecution.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the facts of the case specially the examination of eleven prosecution witnesses, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

Learned trial court is directed to expedite the trial and conclude the same preferably within a period of six months.

(Partha Sarthy, J)

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