

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25227 of 2022

Arising Out of PS. Case No.-6 Year-2020 Thana- MORKAHI District- Khagaria

SHATRUGHAN MANDAL @ SHATRUDHAN MANDAL S/o Late Awadh
Mandal Resident of Village- Balour, P.S.- Morkahi, District- Khagaria.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Sumiran Rai, Advocate

For the Opposite Party/s : Mr. Anuj Kumar Shrivastava, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 08-08-2022 Heard learned counsel for the petitioner and learned
counsel for the State.

Let the defect(s), if any, as pointed out by the office
be removed within four weeks.

The petitioner is in judicial custody in connection
with Morkahi P.S. Case No. 06 of 2020 for the offences under
Sections 302/34 of the Indian Penal Code and Section 27 of the
Arms Act.

The informant has alleged in the FIR that the accused
persons shot at on the head and chest of his father causing his
immediate death. He made specific allegation against the
petitioner of firing on the head of the informant's father. The
case was registered on 13.01.2020 whereas as per the statement
made in paragraph-16 of the bail application, the petitioner
came into judicial custody on 22.08.2021 i.e. almost a year and



eight months later despite the fact that the specific allegation was alleged against him.

Learned counsel for the petitioner submits that there is discrepancy in the statement made in the FIR vis-a-vis the statement recorded in course of investigation of the villagers. He further submits that he had filed anticipatory bail application which delayed his coming into judicial net. Annexure -1 has been annexed as the order of the co-ordinate Bench of this Court by which his anticipatory bail was rejected on 30.01.2021 whereafter he took another eight months to come into judicial custody.

There is specific allegation of opening fire and killing the informant's father by firing on his head.

Considering the nature of allegation, this Court is not inclined to grant him the privilege of bail at this stage which is accordingly rejected.

The Trial Court is hereby directed to expedite the trial and conclude the same expeditiously.

(Rajiv Roy, J)

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