

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40662 of 2021**

Arising Out of PS. Case No.-157 Year-2016 Thana- MAHUA District- Vaishali

AJAY RAI @ AJAY KUMAR RAI S/O LATE BABU LAL RAI R/o village-
Hasanpur Bhahadvas, P.S.- Mahua, District- Vaishali

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Krishna Kant Singh, Advocate
For the Opposite Party/s	:	Dr. Ajeet Kumar, APP
For the wife of the deceased	:	Mr. Shakil Ahmad Khan, Advocate

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER**

6 07-03-2022 Heard learned counsel for the parties.

The petitioner who is accused in a case registered under sections 302 and 307 and other sections of the Indian Penal Code and section 27 of the Arms Act has renewed his prayer for bail by the instant application.

As per the prosecution case, it is stated that as a result of indiscriminate firing resorted to by the petitioner, Guddu Sharma sustained gun shot injuries and he died.

It is submitted by learned counsel for the petitioner that the earlier application for bail of the petitioner was rejected vide order dated 11.11.2020 passed in Cr. Misc. no. 20756 of 2020. However, inspite of the petitioner being in custody since 25.9.2018 and charge having been framed in the year 2020, no



witness has been produced nor examined on behalf of the prosecution. It is further submitted by learned counsel that the informant has not supported the prosecution case in his statement under section 164 Cr.P.C..

The application for bail is opposed by learned APP for the State and learned counsel appearing on behalf of the wife of the deceased. It is submitted that the witnesses will be examined in the trial without any delay. It is because of the fear of the petitioner that the witnesses were not appearing.

Having heard learned counsel for the parties and taking into consideration the allegation against the petitioner wherein he is said to be the assailant of the deceased Guddu Sharma, 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 to conclude the same within a period of six months from the date of receipt / communication of this order.

(Partha Sarthy, J)

Spd/-

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