

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39756 of 2022

Arising Out of PS. Case No.-119 Year-2019 Thana- BARACHATTI District- Gaya

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KAMLESH SINGH S/o Kedar Singh R/o village- Nega Bigha, P.S.- Salaiya,
District- Aurangabad (Bihar)

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms.Leelawati Kumari, Advocate
For the Opposite Party/s : Mr. APP

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 31-08-2022 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in a case
registered for the offence punishable under Section 396 of the
Indian Penal Code and Sections 25(1-b)a, 26, 35 of Arms Act.

Earlier prayer for regular bail of the petitioner has
been twice rejected as detailed in paragraph no. 2 of this
application.

Informant has alleged that on 14.03.2019 at about
7.55 PM while he was shutting his shop and returning, he heard

sound of firing and saw that some one has shot dead his father and the person who had fired was caught by family members and from his possession one country made pistol and one fired cartridge was recovered. It is further alleged that 7-8 miscreants had entered his house to commit robbery and while they were fleeing away the villagers assembled there caught hold the accused who had fired upon his father.

It has been submitted on behalf of petitioner that he is innocent and has been falsely implicated in this case. There is no eye witness of the occurrence. Petitioner is in custody since 18.03.2019.

Report was called with respect to stage of trial and it is stated in the report that trial is likely to conclude within 9 months (approx).

In view of robbery committed in the house of informant in which father of informant was killed by firing and recovery of pistol from the possession of petitioner who was apprehended on the spot and on perusing the report of trial court, I am not inclined to enlarge the petitioner on bail at this stage. Hence, the prayer for bail of the petitioner is hereby rejected.

However, the trial court is directed to expedite the

trial of the petitioner and conclude the same within a period of
one year from the date of receipt/production of a copy of this
order.

(S. Kumar, J)

Rajiv/veena-

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