

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55657 of 2021

Arising Out of PS. Case No.-225 Year-2020 Thana- BARH District- Patna

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SURAJ KUMAR SON OF SHYAM LAL PASWAN RESIDENT OF
VILLAGE- SHAHRI, P.S.- BARH, DISTRICT- PATNA

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Manoj Kumar Pandey

For the Opposite Party/s : Mr.A.G.

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

7 13-10-2022 Let the defect(s), as pointed out by the office, be
removed within a period of four weeks from today.

Heard learned counsel for the petitioner and
learned A.P.P. for the State.

The petitioner seeks bail in connection with Barh
P.S. Case No. 225 of 2020 registered for the offences punishable
under Section 302/34 of the Indian Penal Code and Section 27
of the Arms Act.

As per prosecution case, allegation against the
petitioner is that he fired upon the informant's son on his head
due to which informant's son died.

Learned counsel for the petitioner submits that
petitioner is in custody since 26.06.2020 and bears criminal
antecedent of two cases. He further submits that petitioner is



quite innocent and committed no offence as alleged. He further submits that upon the plain reading of the FIR it is evident that informant is not an eye witness of the alleged occurrence. He is falsely implicated in the case.

Learned APP vehemently opposes the prayer of bail and submits that there is direct allegation against the petitioner and same is supported and corroborated by postmortem report.

The report of lower court vide letter no. 464 of 2022 dated 20.09.2022 shows that trial would be concluded within one year.

Considering the facts and circumstances of the case, nature of allegation levelled against the petitioner coupled with postmortem report and material available on record, I am not inclined to grant bail to the present petitioner. Accordingly, the prayer for bail of the petitioner stands rejected.

However, if there is no substantial progress in trial within one year petitioner may renew the prayer of bail.

(Alok Kumar Pandey, J)

vashudha/-

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