

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69691 of 2021

Arising Out of PS. Case No.-282 Year-2019 Thana- ALOULI District- Khagaria

BHAGWAN DAS, aged about 30 years, Gender-Male, Son of Upendra Das
@ Tanti, Resident of Village - Dharharba, P.S. - Bithan, District - Samastipur.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. N. K. Agarwal, Sr. Advocate and Mr. Vijay Anand, Advocate.
For the Informant	:	Mr. Santosh Kumar Singh, Advocate.
For the Opposite Party	:	Mr. Amit Kumar Rakesh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 23-02-2022 Heard learned senior counsel for the petitioner,

learned counsel for the informant and learned counsel for the

State.

Learned counsel for the petitioner is directed to

remove the defects, as pointed out by the office, within a period

of four weeks.

The petitioner is languishing in custody since

14.11.2019 in a case registered for the offence under Sections

302, 307/34, 120(B) of the I.P.C. and Section 27 of the Arms

Act.

The prosecution story, in brief, is that the accused

persons surrounded the brother of the informant and committed

his murder by indiscriminate firing.



Earlier the bail application of the petitioner was rejected vide Cr. Misc. No. 26059 of 2020 under order dated 07.12.2020, annexed as Annexure-1 to the present application, taking into account that there are thirteen (13) criminal cases pending against the petitioner.

As per allegation, indiscriminate firing was made by the accused persons including the petitioner upon the deceased and four wounds of entry of firearms injury was found on the body of the deceased. The postmortem report also supported the allegation made in the F.I.R.

A report was called for from the court below regarding the present stage of the case. The said report of the learned court below is dated 11.01.2022 and has been kept at Flag-'R' on the record. It has been reported that charge has been framed and within a period of nine months, trial is likely to be concluded.

On behalf of the informant, Mr. Santosh Kumar Singh, it has been submitted that six witnesses have already been examined and only the Investigating Officer is to be examined in the present case.

Considering the nature of accusation and the stage of the case, I am not inclined to grant bail to the petitioner. The



same is rejected in connection with G.R. No. 2403 of 2019, arising out of Alauli P.S. Case No. 282/2019, pending in the court of learned C.J.M. Khagaria.

The court below is directed to conclude the trial at the earliest.

(Sudhir Singh, J)

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