

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66371 of 2022**

Arising Out of PS. Case No.-240 Year-2015 Thana- CHARPOKHARI District- Bhojpur

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MUNNA RAM Son of Shyam Bihari Ram Resident of village - Chandi, P.S.-
Charpokhari, District – Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Nagendra Upadhyay,Advocate

For the Opposite Party/s : Mr.Mohammad Sufyan,Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 14-12-2022 Heard counsel for the parties.

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 Charpokhari P.S. Case No. 240 of 2015 for the offences
under Sections 147, 148, 149, 341, 323, 302, 504 and 506 of the
Indian Penal Code and Section 27 of the Arms Act.

As per the FIR, on the day of occurrence, the
petitioner and co-accused persons came at the house of
informant and at that time accused persons were equipped with
weapons. Thereafter, they started abusing the informant's son
and attempted to take him forcefully, which was objected by the



informant and then present petitioner caused fire arm injury at the chest of informant's son by using a country-made pistol.

The matter was earlier heard vide Cr. Misc. No. 53922 of 2021 and the same was rejected on 07.04.2022.

In this case, on 30.11.2022 the learned Trial Court was directed to submit a report regarding the stage of the trial. The same has been received vide letter no. 153 dated 07.12.2022 according to which four witnesses have been examined and one witness, who is wife of the informant could not be examined because she is unable to move due to her physical and mental condition. The only witnesses that are to be examined, the Investigating Officer and the Medical Officer for which the Superintendent of Police, Bhojpur and Civil Surgeon, Bhojpur have been directed for their production and the next date of hearing is 20.12.2022.

Taking into account the aforesaid facts the trial is at the advance stage and there is direct allegation against the petitioner that it was he who opened fire on the chest of the deceased causing his death, this Court for the present is not inclined to grant him privilege of bail which is rejected.

Taking into account the fact that the trial is at advanced stage, the Trial Court is directed to conclude the same



as early as possible preferably within a period of nine months.

With the aforesaid observation, the bail application is
rejected.

(Rajiv Roy, J)

Jagdish/Neha/-

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