

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2542 of 2023

Arising Out of PS. Case No.-210 Year-2020 Thana- HALSI District- Lakhisarai

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Bambam Nonia Son Of Chandrika Nonia R/O Vill.- Mahrath, P.S.- Halsi,
Distt.- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar

For the Opposite Party/s : Mr. Murli Dhar

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 10-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in connection with
Halsi P.S. Case No. 210 of 2020 instituted for the offence
under Sections 302/34 of the Indian Penal Code and Section 27
of the Arms Act.

As per allegation in the FIR, the informant alleged
that while her mother was returning from work, meanwhile,
the petitioner along with co-accused started assaulting her.
During course of this, this petitioner including two others co-
accused fired upon her due to which she died on spot.
Thereafter, this case has been lodged.

Learned counsel for the petitioner submits that the
petitioner is innocent and committed no offence. The



informant is daughter of the petitioner and due to family dispute, she named the petitioner as one of the assailants. It is further submitted that as per postmortem report, it is evident that there is only two entry wound on the body of the deceased whereas, the allegation has been made against three accused persons including the petitioner of firing upon the person of the deceased. Moreover, the petitioner is languishing in judicial custody since 15.11.2022.

Learned APP appearing for the state has opposed the prayer of regular bail and submitted that the informant is an eye witness of the alleged occurrence and she has made direct allegation of firing upon the person of the deceased is against this petitioner along with two other accused persons. It is further submitted that the postmortem report of the deceased which is annexed with case diary also suggests that the death was caused due to firearms injury. The prosecution witnesses also supported this case.

Having heard the learned counsel for the parties and considering the nature of allegation, this court is not inclined to enlarge the petitioner on bail and, as such, his prayer for bail stands rejected.

The trial Court is directed to expedite the trial and



conclude the same as soon as possible.

(Sunil Kumar Panwar, J)

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