

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28575 of 2022**

Arising Out of PS. Case No.-217 Year-2013 Thana- AKBARPUR District- Nawada

PAWAN SINGH SON OF LAKHAN SINGH RESIDENT OF VILLAGE -
BAGHOR, PS- GOVINDPUR, (WRONGLY MENTIONED IN F.I.R AS
ROH PS) DIST- NAWADA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.V ibhuti Ranjan Sonvadra, Advocate
For the Opposite Party/s : Mr. Madhuri Lata, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

6 16-01-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has preferred this application for grant
of regular bail in a case registered under sections 302, 307,
324, 448 and 34 of the Indian Penal Code and section 27 of the
Arms Act.

As per the prosecution case, the petitioner is said to
have fired two shots from his pistol hitting the informant in his
stomach.

It is submitted by learned counsel for the petitioner
that the petitioner has been falsely implicated in the case. The
manner of occurrence is other than what has been narrated in the



FIR. The informant himself is a veteran criminal and as per instructions received even today, he is in custody. The petitioner is in custody since 30.12.2020 and could not surrender earlier for reasons beyond his control. Charge has been framed in the learned trial Court and the petitioner undertakes to cooperate in the trial.

The application for bail is opposed by learned APP for the State who submits that in a case of the year 2013, the petitioner could be arrested only on 30.12.2020.

Having heard learned counsel for the parties and taking into consideration the nature of allegation against the petitioner in the FIR wherein he is said to have fired twice hitting the informant in his stomach together with the petitioner having remained at large for a period of 7 years till he was taken into custody on 30.12.2020, the Court is not inclined to enlarge the petitioner on bail for the present.

Charge having been framed on 1.8.2022, learned trial Court is directed to expedite the trial.

Liberty is granted to the petitioner to renew his prayer for bail in the learned trial Court if there is no substantial progress in the trial in the next six months for no fault of the petitioner. If such an application is preferred by the petitioner,



the same shall be considered by the learned trial Court on its
own merit without being prejudiced by this order of rejection.

(Partha Sarthy, J)

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