

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36437 of 2022

Arising Out of PS. Case No.-184 Year-2010 Thana- KARPI District- Jehanabad

PRAMOD KUMAR SHARMA @ SADHU SHARMA @ PRAMOD
SHARMA SON OF JAI KISHOR SHARMA R/O- VILL-ODBIGHA, P.S.-
BANSI, DIST.- ARWAL

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shivendra Prasad
For the Opposite Party/s : Mr.Shailendra Kumar

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

7 25-04-2023 The learned counsel for the petitioner is directed to

remove all the defects pointed out by the office within one

month.

Heard learned counsel for the petitioner as well as

learned APP for the State.

In this case, the petitioner is seeking regular bail in

connection with Karpi (Banshi) P.S. Case No. 184 of 2010,

registered for the offences punishable under Sections 302/34 of

the Indian Penal Code and section 27 of the Arms Act.

As per allegation, the petitioner fired shot at the

temporal region of the deceased. Co-accused Jai Kishor Sharma

fired shot, which hit the left hand of the deceased. Thereafter,

the accused persons fled away from scene of the occurrence.



The learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. He has submitted further that the informant and his family members are accused in murder case of brother of the petitioner. The petitioner is on bail in all the five cases, mentioned in paragraph no. 3 of the bail petition. He has also submitted that the petitioner is under custody since 31.08.2019.

On the other hand, the learned APP Sri Shailendra Kumar has opposed the prayer for bail and submitted that the petitioner is assailant and there is allegation on him that he fired shot at the head of the deceased. The allegation is corroborated by the post-mortem report, to which the learned counsel for the petitioner has replied that the deceased did not receive injury on his temporal region and the bullet was recovered from his neck. The learned APP has submitted further that a report has been called for about the stage of trial from the court below, which is at flag-G, which shows that the case is on the appearance stage as one of the co-accused is still absconding.

Considering the above-mentioned facts and circumstances, the petitioner does not deserve the privileges of bail, which is hereby rejected.

The learned trial court is directed to expedite the case



after splitting from the case of accused, who is absconding and due to whose abscondence, the trial has lingered for a considerable duration. After split up, the learned trial court shall take every endeavor to expedite the case and dispose it of within a period of nine months. If the trial is not concluded within a period of nine months, the petitioner, if so advised, may renew his prayer for bail.

(Nawneet Kumar Pandey, J)

Kundan/Nirmal

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