

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46570 of 2023

Arising Out of PS. Case No.-34 Year-2020 Thana- PASRAHA District- Khagaria

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Raju Kumar S/O Sudhir Singh Resident Of Village-Piparpanti, P.S.-Pasraha,
District-Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar, Advocate

For the Opposite Party/s : Mr. Anita Kumari, APP

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 03-08-2023 Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

2. Heard learned counsel for the petitioner and learned A.P.P for the State.

3. The petitioner has preferred this application for grant of regular bail in connection with Sessions Trial No. 47 of 2021 arising out of Pasraha P.S. Case No. 34 of 2020, G.R. No. 1140 of 2020 dated 19.04.2020 registered for the offences u/ss 302 read with section 34 of the Indian Penal Code and 27 of the Arms Act.

4. As per the prosecution case, the petitioner and the co-accused persons came to the door of the informant and on exhortation of the co-accused Jalo Singh, the petitioner fired on the informant's son due to which he died on the spot.



5. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is further submitted that charge-sheet has already been submitted against the petitioner and four witnesses have also been examined. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 27.06.2020.

6. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner by submitting that there is specific allegation of firing on the deceased against the petitioner.

7. Considering the aforesaid facts and circumstances of the case as well as the specific allegation and heinous nature of allegation against the petitioner, I am not inclined to enlarge the petitioner on bail. Accordingly, the bail application stands rejected.

8. Further, the learned trial court is directed to expedite the trial and conclude the same preferably within nine months from the date of receipt of this order to the court concerned.

9. However, if the trial is not concluded within the aforesaid period of nine months, the petitioner will be at liberty to renew his prayer for bail.

(Chandra Prakash Singh, J)

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