

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49469 of 2022

Arising Out of PS. Case No.-129 Year-2021 Thana- HUSSAINGANJ District- Siwan

Sallu Mian, Son of Munshi Mian @ Hedaytullah Khan, Resident of Village -
Pratap Pur, P.S.- Hussainganj, Distt.- Siwan.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Zeyaul Hoda, Advocate
For the State	:	Mr. Satyendra Prasad, APP
For the Informant	:	Mr. Dhananjay Kumar Shahi, Advocate

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA

ORAL ORDER

3 15-02-2023 Heard learned counsel appearing on behalf of the
petitioner and learned APP appearing on behalf of the State as
well as learned counsel for the informant.

The petitioner seeks bail in connection Hussainganj
P.S. Case No.129 of 2021 registered for the offence punishable
under Section 302 read with 34 of the Indian Penal Code.

The accused/petitioner is named in the first
information report and is in custody since 18.08.2021.

The allegation against the petitioner is to commit
murder of brother of the informant with other accused persons
by firearm injury due to previous enmity.



It is submitted by the learned counsel for the petitioner that the allegation of firing is also attributed against other co-accused persons, but he conceded that fatal firearm injury was caused by this petitioner. It is also submitted that the petitioner is a man of clean antecedent and moreover, investigation of this case has been completed, for which charge-sheet has already been submitted by the investigating officer of this case and as such, there is no chance of tempering with the evidence.

Learned APP for the State being duly assisted by the learned counsel for the informant, while opposing the prayer for bail, submitted that the allegations of causing fatal firearm injury is available against this petitioner, which is in full corroboration with postmortem report, as conducted upon the deceased by the doctor.

In view of the above-mentioned facts and circumstances of the case and by taking note of specific allegation against the petitioner to cause fatal firearm injury causing death of brother of the informant, the prayer for bail of the petitioner is rejected herewith.

However, the learned Trial Court is directed to conclude the trial of the case within six months by taking this



case on board, if required, on day-to-day basis.

In case, the trial of the case is not concluded within the stipulated time, the petitioner would be at liberty to renew his prayer for bail, if so advised.

(Chandra Shekhar Jha, J.)

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