

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50931 of 2022

Arising Out of PS. Case No.-75 Year-2019 Thana- PURNAHYA District- Sheohar

SANJAY PATEL Son of Maheshwar Patel Resident of village - Bashantpatti,
P.S. - Purnehia, District - Sheohar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh, Advocate

For the Opposite Party/s : Dr. Indihar Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

6 04-04-2023 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 307, 326, 384, 387/34 of the
Indian Penal Code and Section 27 of the Arms Act.

The prosecution case, in short, is that three persons
riding with Apache motorcycle came at the work place of
informant and gave letter to his Munshi in which rangdari of Rs.
20,00,000/- was made otherwise ready to face consequences. It
is further alleged that four persons with two motorcycles came at
the work place and fired upon the J.C.B. driver namely Ravi
Kumar Yadav who sustained injury and became unconscious.
Thereafter, a call has come saying his name as Sanjay Patel
threatened to another occurrence for non payment of rangdari.



Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and no such occurrence had taken place and the mobile phone in question does not belong to the petitioner and till date no test identification parade was conducted by the prosecution.

Learned APP for the State, on the other hand, on the basis of material available on the record as well as case diary, vehemently opposed the prayer for bail of the petitioner and submits that the petitioner is accused in twenty one cases other than the present one and almost of the cases are of similar nature.

Vide order dated 08.02.2023, a report was called for with regard to the stage of the trial. Report dated 23.02.2023 of the learned Trial court reveals that out of six non-official and one official witnesses, two chargesheeted witnesses have been examined and discharged and at present this case is fixed at the stage of prosecution evidence.

In view of the aforesaid that the trial is going on and the nature of allegation against the petitioner, I am not inclined to enlarge the petitioner on bail in connection with Purnahiya P.S. Case No. 75 of 2019 pending in the Court of learned Sub-Divisional Judicial Magistrate, Sheohar.



Prayer is refused.

However, the learned Trial court is directed to expedite the trial and conclude the same at the earliest.

(Rajesh Kumar Verma, J)

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