

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54192 of 2023

Arising Out of PS. Case No.-4 Year-2020 Thana- HAJIPUR SADAR District- Vaishali

Raja Babu S/O Bijay Yadav @ Vijay Rai R/O Village- Pranpur, P.S-
Tisiyonta, At Present P.S- Bidupur, Distt.- Vaishali.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shivanand Singh

For the Opposite Party/s : Mr.Sunil Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 28-11-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has filed the instant application for grant of regular bail in a case registered for the offences punishable under Sections 302, 118, 119, 166, 166(A), 120(B) of the Indian Penal Code, Section 27 of Arms Act and Section 52 of Prisoners Act.

The allegation against the petitioner is that he fired upon Manis Kumar @ Netaji, an under trial prisoner, due to which he succumbed to fire arm injuries.

It is submitted by learned counsel for the petitioner that petitioner has falsely been implicated in this case. Nothing incriminating has been recovered from the conscious possession of the petitioner. Moreover, the petitioner is in judicial custody



since 10.01.2020.

Learned APP appearing on behalf of the State vehemently opposed the prayer of the petitioner and submitted that witnesses have supported the prosecution case. It is further submitted that postmortem report also corroborates with the prosecution case.

Having heard the learned counsel for the parties and considering the nature of allegation, this court is not inclined to enlarge the petitioner on bail and, as such, his prayer for bail stands rejected.

Learned trial court is directed to expedite the trial and conclude the same within stipulated time.

However, if the trial of the petitioner is not concluded within a period of one year, as mentioned in the report of trial court, he would be at liberty to renew his prayer for bail.

(Sunil Kumar Panwar, J)

Nirajkrs/-

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