

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63806 of 2023

Arising Out of PS. Case No.-143 Year-2022 Thana- DARPA District- East Champaran

TINKU JAISWAL @ ARUN KUMAR Son of Chandrika Sah @ Chandrika
Prasad R/o vill - Matar Chouk Gulariya, P.S. - Darpa, Distt. - East Champaran

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar

For the Opposite Party/s : Mr.Binod Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 03-11-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in connection with Darpa P.S. Case No. 143 of 2022 instituted for the offence under Sections 307, 326/34 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per allegation in the FIR, the petitioner is alleged to have opened fire upon chest of the informant who sustained gunshot injury and admitted in hospital.

4. Learned counsel for the petitioner submits that the petitioner is innocent and committed no offence. He has falsely been implicated in this case. It is further submitted that the matter has been compromised between the parties which is annexed as Annexure-P/2. Moreover, he is languishing in



judicial custody since 24.5.2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail and submitted that the petitioner has specifically been alleged to open fire upon chest of the informant due to which he sustained gunshot injury. Injury report annexed with case diary, has supported the prosecution in which, one entry wound is mentioned and doctor opined the nature of injury is grievous. The petitioner has got three criminal antecedents. It is further submitted that witnesses of the case have also supported the prosecution.

6. Having heard the learned counsel for the parties and considering the fact that there is direct allegation against the petitioner, this court is not inclined to enlarge the petitioner on bail and, as such, his prayer for bail stands rejected.

7. The trial Court is directed to expedite the trial and conclude the same within a period of nine months, failing which, the petitioner may renew his prayer of bail.

(Sunil Kumar Panwar, J)

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