

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22413 of 2024

Arising Out of PS. Case No.-71 Year-2022 Thana- BIND District- Nalanda

=====

Anuj Kumar Son of Raj Kumar Yadav @ Raj Kumar Prasad R/o village-
Barepur, P.S.- Sare, Dist.- Nalanda

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s	:	Mr. Rajendra Narayan Sr, Adv.
		Mr. Raj Kishor Prasad, Adv.
For the Opposite Party/s :		Mr.Shantanu Kumar, APP

=====

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

6 03-09-2024 Heard the learned counsel for the petitioner as well
as the learned Additional Public Prosecutor for the State.

2. The petitioner is seeking regular bail in connection with Bind P.S. Case No. 71 of 2022 for the offences punishable under Section 302 of the Indian Penal Code and Section 27 of the Arms Act.

3. The deceased is brother-in-law (*sala*) of the petitioner. As per allegation, the petitioner was abusing someone else and when the deceased asked as to why he was abusing, he fired at him with pistol, as a result of which, he sustained fire arm injury and while he was being taken to Patna for treatment, in the way itself, he died.

4. Learned Senior counsel for the petitioner has submitted that the petitioner is innocent and has falsely been



implicated in this case. No motive has been mentioned in the FIR indicating the commission of the occurrence. He has further submitted that FIR itself shows that the offence is not premeditated.

5. The report was called for from the learned court below about progress of the trial, which is available with the record.

6. From perusal of the report, it appears that out of nine chargesheeted witnesses, six witnesses including the Doctor and the Investigating Officer have been examined. Three private witnesses namely, Gulel Yadav, Puspanjay Kumar, Nandlal Yadav are yet to be examined. NBW has already been issued against them.

7. The learned court below is directed to take every endeavor to dispose of the case at the earliest, preferably, within a period of six months. If the trial is not concluded within the stipulated period of six months, the petitioner may renew his prayer for bail before the learned court below itself.

8. Let a copy of this order be transmitted to the Superintendent of Police, Nalanda at Bihar Sharif for ensuring the appearance of the witnesses before the learned trial court.



9. The learned court below is directed not to give the date for more than seven days in this case. No witness should be returned un-examined if he turns up before the court. If it is found that the trial is hampered due to delaying tactics of the petitioner, the learned court below shall not consider his prayer for bail.

10. With the aforesaid observation, the present application is disposed of.

(Nawneet Kumar Pandey, J)

Nirmal/-

U		T	
---	--	---	--

