

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38653 of 2024

Arising Out of PS. Case No.-76 Year-2021 Thana- SHAHPUR PATORI District- Samastipur

Narsingh Rai @ Narsingh Ray S/o Neba Rai R/o vill - Hardaspur, P.S. -
Patory, (Mohanpur O.P.), Distt. - Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajni Kant Singh
For the Opposite Party/s : Mr.Sanjay Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 02-07-2024 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner has renewed his prayer for grant of regular bail in a case registered for the offence punishable under sections 147, 148, 149, 302 and 447 of the Indian Penal Code and section 27 of the Arms Act which was earlier rejected by this Court vide order dated 22.8.2023 in Cr. Misc. No. 68440 of 2022 with a direction to trial court to expedite the trial and conclude the same at the earliest.

3. As per allegation in the FIR, while the informant's uncle was harvesting mustard crops in field, 30-35 unknown persons along with FIR named accused



persons came there and opened fire which hit his uncle and later on he succumbed to gunshot injury. Informant concealed himself in a nearby wheat field from where he witnessed the occurrence.

4. It is submitted by learned counsel for the petitioner that till date out of 17 witnesses, five were examined. It is further submitted that all the five witnesses have not supported the prosecution case and certified copies of their deposition are annexed as Annexure-5 series. By way of filing supplementary affidavit it has been brought on record that informant, who was examined as prosecution witness no. 6 and P.W.-7, have also failed to support the entire prosecution case in para no. 29 and 15 respectively in their deposition. As per status report, ten witnesses are yet to be examined and trial is likely to be concluded within nine months. Petitioner is languishing in judicial custody since 8.4.2022.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this



court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned A.D.J.-X, Samastipur in connection with Shahpur Patori P.S. Case No. 76 of 2021.

(Sunil Kumar Panwar, J)

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