

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43728 of 2024

Arising Out of PS. Case No.-155 Year-2023 Thana- PANDAUL District- Madhubani

Naveen Kumar Mishra Son of Lal Mishra R/O Village- Kakna, P.S.- Pandaul,
District- Patna

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Murari Narain Chaudhary
For the State	:	Mr. Arvind Kumar Pandey, APP
For the Informant's	:	Mr. Gagan Deo Yadav, Mr. Ravi Praksh, Mr. Vinod Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 06-08-2024 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

2. The petitioner has prayed for bail in connection with Pandaul P.S. Case No. 155 of 2023 instituted for the offence under Sections 302/34 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per allegation in the FIR, it is alleged that due to some altercation, co-accused Lal Mishra and Ayush Kumar Jha caught hold the son of the informant Vinay Chandra Jha and this petitioner shot fire upon him due to which he sustained injury and died on way to 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 due to land dispute between the parties. It is further submitted that the petitioner has got no criminal antecedent as stated in para-3 of the bail petition and he is languishing in judicial custody since 5.9.2024.

5. Learned APP appearing for the state and learned counsel for the informant have opposed the prayer of regular bail and submitted that the petitioner is named in the FIR and there is specific allegation against him to shot fire upon the son of the informant due to which he succumbed to injury. Postmortem report of the deceased corroborates the prosecution in which doctor opined the cause of death is due to haemorrhage and shock caused by gunshot injury. It is further submitted that during course of investigation, witnesses of this case have supported the prosecution.

6. In pursuance to the direction of this Court, a report dated 15.7.2024 with regard to present stage of trial has been received by which it appears that the trial is likely to be concluded within 5-6 months.

7. 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.

8. The trial Court is directed to expedite the trial and conclude the same within stipulated period of time as mentioned its report, failing which the petitioner may renew his prayer of bail.

(Sunil Kumar Panwar, J)

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