

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45804 of 2024

Arising Out of PS. Case No.-185 Year-2022 Thana- CHAUTHAM District- Khagaria

Girish Singh Son Of Late Jangbahadur Singh Resident Of Village - Chhoti
Telauchh, Police Station - Choutham, District - Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mritunjay Kumar, Advocate

For the Opposite Party/s : Mr. Mohammad Sufyan, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

- 3 30-08-2024 1. 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 connection with S.Tr. No. 214 of 2023 arising out of Chautham P.S. Case no. 185 of 2022 registered under sections 307, 341, 323, 379, 504, 506 and 34 of the Indian Penal Code and section 27 of the Arms Act.
3. As per the prosecution case, the informant states that over a land dispute between the members of the family, the petitioner who happens to be the informant's full brother started to abuse and assault the informant and his family members with the butt of a pistol. As a result of firing resorted to by the petitioner, the two year old child of the informant as also the informant sustained gunshot injuries.



4. Learned counsel for the petitioner submits that the earlier prayer for bail of the petitioner was rejected vide order dated 8.11.2023 passed in Cr. Misc. no. 57042 of 2023 giving liberty to the petitioner to renew his prayer for bail after six months in case there is no substantial progress in the trial or on deposition of the informant and/or his wife. It is submitted that there is no progress in the trial and neither the informant nor his wife has been examined in the learned Court below. The three witnesses examined on behalf of the prosecution have been declared hostile. The petitioner is in custody since 30.5.2023 and undertakes to cooperate in the trial.

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

6. Report was called for from the learned trial Court. As per the report received three witnesses have been examined on behalf of the prosecution. The informant along with one another witness, the Investigating Officer and two doctors remain to be examined. It further transpires that the three witnesses on behalf of the prosecution were examined on 11.3.2024, 27.3.2024 and 20.5.2024 and the next date in the trial being fixed for 7.8.2024.

7. In view of the facts and circumstances of the case



and the nature of allegation against the petitioner in the F.I.R, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

8. Learned trial Court is directed to expedite the trial and to conclude the same at the earliest preferably within a period of six months.

9. Liberty is granted to the petitioner to renew his prayer for bail if the trial is not concluded within the aforesaid period.

(Partha Sarthy, J)

Harsh/-

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

