

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.992 of 2024

Arising Out of PS. Case No.-2 Year-2021 Thana- LACHHUAR District- Jamui

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Nunnulal Tanti S/O Late Shishal Tanti R/O Vill- Baldah, P.S.- Lachhuar,
Dist.- Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr. Ashok Kumar Chaudhary, Sr. Advocate Mr. Prakash Kumar, Advocate
For the State	:	Dr. Mrityunjaya Kr.Gautam, APP
For the Informant	:	Mr. Praveen Kumar, Advocte

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CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

8 06-09-2024 Heard Ld. counsel for the petitioner and Ld. APP for
the State.

2. The petitioner seeks bail in connection with Sessions Trial No. 168A of 2022 arising out Lachhuar P.S. Case No. 02 of 2021 dated 04.12.2021, registered for the offences punishable under Sections 341, 323, 302 and 120(B) of the Indian Penal Code and Section 27 of the Arms Act.

3. The prosecution case as emerging from the FIR is



that on 03.12.2021 at about 04:10 P.M when the informant and his father were waiting for a vehicle at Balda More, the petitioner and his associates came there on motorcycle and started indiscriminate firing on the father of the informant, due to which he died.

4. Ld. counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He further submits that as per the CDR in the case diary his presence at the place of occurrence is doubtful.

5. It has also been stated in paragraph no. 3 of the bail petition that the petitioner has earlier been made accused in two other cases and he is on bail in both the cases.

6. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one.

7. However, Ld. APP for the State as well as Ld. Counsel for the Informant vehemently oppose the prayer of the petitioner for bail submitting that the nature of allegation is serious and supported by material on record and trial is at the fag end because out of eight prosecution witnesses, seven witnesses have already been examined. The trial is likely to be concluded soon. Therefore, it would be better to wait for the



result of the judgment.

8. Considering the serious nature of allegation and the material in support of it as well as the stage of the trial, I am not persuaded to enlarge the petitioner on bail at this stage.

9. **This application stands rejected accordingly.**

10. However, the Ld. Trial Court is directed to expedite and conclude the same within a period of six months. If the trial is not concluded within stipulated time, the petitioner would be at liberty to renew his prayer for bail.

(Jitendra Kumar, J)

Chandan/S.Ali-

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