

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.22599 of 2015**

Arising Out of PS.Case No. -264 Year- 2012 Thana -NAUBATPUR District- PATNA

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Anil Sharma Son of late Arjun Singh resident of Village- Gopalpur P.s  
Naubatpur District Patna.

.... .... Petitioner

Versus

The State of Bihar

.... .... Opposite Party

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**Appearance :**

For the Petitioner/s : Mr. Sunil Kumar Pathak

For the Opposite Party/s : Mrs. Rita Verma (App)

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**CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA**  
**ORAL ORDER**

2      01-09-2015                      Heard learned counsel for the parties.

Having regard to the nature of allegation for offence under section 302/34, 307 and other allied sections of the Indian Penal Code and section 27 of the Arms Act and the fact that the prayer for bail of the petitioner was earlier rejected by this Court giving time limit for concluding the trial but the trial itself has not been allowed to be concluded on account of filing of revision application before this Court, the petitioner would not be entitled for privilege of regular bail for the present.

From the order of the court below it is found that six prosecution witnesses were already examined, whereafter the revision petition was filed and in fact the application was also filed before the court below as has been noted in the order dated 4.5.2015.

Mr. Pathak, learned counsel for the petitioner, however, submits that after the first revision application was filed before this Court by some of the accused persons being Cr.Revision No. 1079/2013, which was dismissed on 4.9.2014, the petitioner has not filed any revision application under the advice given by him.

This Court would find that the time limit which was given in the earlier order rejecting the prayer for bail of the petitioner had expected the trial to be concluded but when there has been repeated obstruction despite examination of six prosecution witnesses only by the defence, this Court will not be inclined to consider the prayer for bail of the petitioner afresh on merits.

The prayer for bail of the petitioner is, accordingly, rejected.

**(Mihir Kumar Jha, J)**

surendra/-

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