

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35918 of 2014

Arising Out of PS.Case No. -132 Year- 2012 Thana -PATLIPUTRA District- PATNA

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Manoj Kumar Pathak son of Sri Jagdeep Pathak, R/o village- Baidrabad,
P.S.- Arwal, District- Arwal at Present Panchsheel Nagar, Kanchan Niwas,
H/o Gopal Prasad Ray, P.S.- Danapur, District- Patna

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kamal Kishore Jha

For the Opposite Party/s : Mr. Md. Fahimuddin(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA
ORAL ORDER

3 21-12-2015 Heard learned counsel for the petitioner and learned
counsel representing the State.

Petitioner seeks bail in connection with Patliputra
P.S. Case No. 132 of 2012 registered for the offences punishable
under Section 302 of the Indian Penal Code and Sections 25(1-
A)(1-B), 26, 27 of the Arms Act.

Earlier prayer for bail of the petitioner was rejected
vide order dated 03.10.2013 passed in Cr. Misc. No. 14777 of
2013 and now he wants to renew his prayer for bail on the ground
that in spite of direction of this Court to dispose of the trial
expeditiously, up-till-now no prosecution witness has been
examined which is evident from the report of learned Additional
Sessions Judge IXth, Patna dated 23.09.2015 and, as such, the

petitioner who is suffering in custody since 12.09.2012 deserves sympathetic consideration as the petitioner is not named in the FIR and nothing cogent has come during investigation.

Learned APP opposes the prayer of bail.

In the facts and circumstances stated above, at present, this Court is not inclined to enlarge the petitioner on bail, accordingly, his such prayer stands rejected.

However, the trial court is directed to conclude the trial as early as possible, preferably within six months, failing which the petitioner shall be at liberty to renew his prayer for bail.

(Jitendra Mohan Sharma, J)

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