

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39162 of 2014

Arising Out of PS.Case No. -298 Year- 2001 Thana -NAWADA District- NAWADA

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1. Dablu Gupta @ Birendra Kr. Gupta @ Dabloo Gupta S/o Rajendra Prasad Gupta Resident of Mohalla - Station Road Warsaliganj, P.S. Warsaliganj, District - Nawada

.... Petitioner

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Dudh Nath Singh

For the Opposite Party : Mr. Gajendra Pd.Yadav(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

4 19-02-2015 Petitioner is languishing in custody since 02.07.2013 in a case registered for the offences punishable under Sections 147, 148, 149, 224, 225, 302, 307, 379, 120B of the I.P.C and Section 27 of the Arms Act.

It is alleged that at the Nawada Jail Gate on 23.12.2001 five persons came to meet Akshat Singh and Ashok Mahto. They wanted to give fruits and sweets the senior jail constable took the fruits but did not allow them to meet with prisoners inside the jail gate. Thereafter the accused persons snatched the key of the of the jail gate and assaulted the senior jail constable and shot him dead. Several prisoners escaped from the jail including the petitioner.

It is submitted by learned counsel for the petitioner that accusation of killing senior jail constable or opening the gate is not against the petitioner. The petitioner's

only fault is that with other prisoners he also managed to escape from the jail.

Considering the fact that in a case of 2001 the petitioner has surrendered in 2013, this Court is not inclined to grant bail to the petitioner at present. However, if the trial will not conclude within a period of one year then the petitioner will be at liberty to renew his prayer for bail.

Let learned Trial Court expedite the trial.

(Dinesh Kumar Singh, J)

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