

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.51718 of 2014

Arising Out of PS.Case No. -72 Year- 2013 Thana -RAJPUR District- EAST CHAMPARAN
(MOTIHARI)

Lalan Prasad Kushwaha, Son of Sita Ram Prasad @ Sita Ram Bhagat,
Resident of Village-Sonoul, P.S-Rajepur, District-East Champaran

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

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

For the Opposite Party/s : Mr. Anil Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

3 03-03-2015

Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks bail in connection with Rajepur
P.S. Case No. 72 of 2013 registered for the offences punishable
under Sections 25(1-B)(a), 26 and 35 of the Arms Act.

According to the prosecution case, a country-made
loaded pistol is alleged to have been recovered from possession
of the petitioner.

Learned counsel for the petitioner has submitted that
the petitioner is in custody since 26th July, 2013 and till date the
trial has not concluded.

On the other hand, learned counsel for the State has
submitted that the petitioner has been made accused in several
other cases. In reply, learned counsel for the petitioner has

submitted that in all other cases the petitioner's name transpired on the basis of confession of co-accused and the petitioner has been remanded to judicial custody in those cases without any legal evidence.

Be that as it may, regard being had to the antecedent of the petitioner, I am not inclined to grant him bail for the present. Accordingly, the prayer for bail is rejected.

As the petitioner is in custody since 26th July, 2013, the learned Judicial Magistrate-1st Class, Sikrahana, East Champaran at Motihari is directed to hold the trial on day-to-day basis and conclude the same as early as possible, preferably within four weeks from the date of receipt/production of a copy of the order, failing which the petitioner would be at liberty to renew his prayer for bail.

(Ashwani Kumar Singh, J.)

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