

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18600 of 2015

Arising Out of PS.Case No. -298 Year- 2010 Thana -BAKHTIYARPUR District- PATNA

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Madan Singh son of Radhe Kishun Singh resident of village- Alipur, PS-
Baktiyarpur, District- Patna

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Prasad, Advocate

For the Opposite Party/s : Mr. Md. Ansarul Haque Sahara, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR
SINGH
ORAL ORDER

3 23-04-2015 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner has been made accused in Sessions Trial
No.261 of 2013 arising out of Baktiyarpur P.S.Case No.298 of
2010 registered for the offences punishable under sections 302 of
the Indian Penal Code and 27 of the Arms Act.

According to the first information report the petitioner
opened fire causing injury to the son of the informant, namely,
Ranjay Singh in his throat. Earlier, the prayer for bail of the
petitioner in Cr.Misc.No.34955 of 2013 was dismissed as
withdrawn on 26.9.2013. The petitioner again moved for bail vide
Cr. Misc. No.3714 of 2014 which stood dismissed for want of
prosecution on 28.1.2014. The petitioner, thereafter, filed



Cr.Misc.No. 17562 of 2014 which was dismissed on merits on 27.08.201. The petitioner renewed his prayer for bail once again vide Cr.Misc. No.11067 of 2015 which was also dismissed on 18.03.2015. Immediately, thereafter, the present application for grant of provisional bail has been filed before this Court on 20th April, 2015 on the ground that the marriage of the daughter of the petitioner is scheduled to be held on 27th April, 2015. The affidavit filed in this application by Ranjeet Kumar, the brother of the petitioner, would show that the same was sworn before the Advocate Oath Commissioner, Patna High Court on 6th April, 2015.

It is pertinent to mention here that when Cr. Misc. No.11067 of 2015 was taken up for hearing on 18th March, 2015, there was no submission that the daughter of the petitioner is going to be married on 27th April, 2015. Moreover, in view of repeated attempts made by the petitioner for grant of bail on one pretext or the other as also in view of the allegation made in the FIR, I am not inclined to release the petitioner on provisional bail specially when there are other adult family members to look after the ceremony which is likely to be held in the family. Accordingly, the application is dismissed.

As the trial has commenced, the learned Additional

Sessions Judge-1st , Barh, Patna is directed to expedite the same.

Md.S./-

(Ashwani Kumar Singh, J)

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