

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.39584 of 2012

Suraj Prakash Singh @ Vijay Singh, son of Late Ram Nandan Prasad,
resident of village Khodai Bagh, P.S. Khaira, District-Saran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Jha

For the Opposite Party/s : Mr. Madan Kumar (App)

CORAM: HONOURABLE THE CHIEF JUSTICE

ORAL ORDER

4 23-04-2015 The petitioner figured as an accused in a case where the petitioner himself and others alleged to have committed offences punishable under sections 394, 427, 447, 307, 34 of the Indian Penal Code, 27 of the Arms Act and 34 of the Explosive Substance Act. He was later released on bail.

2. The case is now being tried as Sessions Trial No. 98 of 2010 in the court of Ad-hoc Additional District Judge-II, Chapra.

3. The petitioner filed an application with a prayer to release the weapon seized from him. The learned Judge dismissed the application through the order dated 10-8-2009 stating that the proceedings for cancellation of the licence are in progress. The said order has been challenged in this application.

4. Heard the learned counsel for the petitioner and learned counsel for the Public Prosecutor.

5. It is represented that no proceeding for cancellation of the licence is pending, and still wrong fact was mentioned. Even if that is true, the release of the weapon at this stage would lead to several complications. Instead, the trial court can be required to expedite disposal of the matter itself.

6. This application is dismissed. The trial court is directed to dispose of the aforesaid Sessions Trial on priority basis within three months from the date of receipt of a copy of this order.

(L. Narasimha Reddy,CJ)

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