

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51561 of 2014

Arising Out of PS.Case No. -132 Year- 2011 Thana -BHAWANIPUR District- PURNIA

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Kaima Nadaf @ Kaima @ Md. Kaiyum S/o Md. Manir Nadaf, R/o Village-
Jabe, P.S. Bhawanipur, District - Purnea

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Md. Fahimuddin, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR
SINGH
ORAL ORDER

2 04-03-2015 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks bail in connection with Sessions
Trial No. 178 of 2012 arising out of Bhawanipur P.S. Case No.
132 of 2011 registered for the offences punishable under sections
399 and 402 of the Indian Penal Code and 25(1-B)(a), 26 and 35
of the Arms Act.

It has been contended that the petitioner is in judicial
custody since 19.11.2011 and till date only seven witnesses have
been examined. It would appear from the record that the petitioner
is a member of a gang of dreaded criminals and one of them has
absconded from custody of the police. The learned Sessions Judge
while rejecting the application for bail of the petitioner has

observed that in case the petitioner is released, it would be difficult to secure his attendance.

Learned counsel for the State has opposed the prayer for bail.

Regard being had to the advance stage of the trial, I am not inclined to grant bail to the petitioner for the present. Accordingly, the prayer for bail is rejected.

In case some other accused person has absconded the court below is directed to split up the case of the petitioner and proceed with his trial in an expeditious manner so as to conclude the same as early as possible, preferably within nine months from the date of receipt/production of a copy of this order failing which the petitioner would be at liberty to renew his prayer for bail.

(Ashwani Kumar Singh, J)

Md.S./-

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