

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21215 of 2015

Arising Out of PS.Case No. -4 (S) Year- 1999 Thana -C.B.I CASE District- PATNA

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Nirjesh Singh @ Nirjesh Kumar @ Naga Singh S/o Swaraj Singh R/o
Village Maldia Tola, Mokama, P.S. Mokama, District Patna.

.... Petitioner/s

Versus

The State of Bihar through C.B.I., Patna

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Dr. Anjani Pd. Singh, Advocate.

For the Opposite Party/s : Mr. Bipin Kumar Sinha, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

4 07-09-2015

Heard both sides.

The petitioner seeks bail in a case registered under
Section 302 and other sections of the Indian Penal Code.

The petitioner is not named in the F.I.R. but name of
the petitioner figured in the case during the course of
investigation. The case relates to the killing of the then Minister
Brij Bihari Prasad. It is submitted that the petitioner was remanded
in this case on 12.07.2011 and since then not even a single witness
has been examined.

On the other hand Sri Bipin Kumar Sinha, learned
counsel for the C.B.I., submitted that the petitioner was
absconding and he was remanded in this case only on 12.07.2011.
The lower court record was called for in the criminal appeal and
recently the lower court record was sent down to the court below.

The trial is likely to be concluded within nine months. The petitioner has got criminal antecedents.

Having considered the fact that the petitioner is also alleged to have fired and he was absconding for more than 12 years, I am not inclined to enlarge the petitioner on bail in Gardanibagh Shastri Nagar P.S. Case No. 336/98, corresponding to R.C. Case No. 4(S)/99 and S.T. No. 1301/2012. Accordingly, the same is rejected.

The trial court is directed to expedite the trial holding on day-to-day basis and conclude the same within nine months from the date of receipt/production of copy of this order.

(Prabhat Kumar Jha, J)

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