

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.43294 of 2015

Arising Out of PS.Case No. -21 Year- 2010 Thana -HILSA District- NALANDA (BIHARSHARIFF)

Bhim Manjhi, Son of Late Jawahar Manjhi, resident of village-Bachan Banu
P.S.- Hilsa, District- Nalanda. Petitioner

Versus

1. The State of Bihar Opposite Party

Appearance :

For the Petitioner/s : Ms. Kumari Sujata Sinha, Advocate

For the Opposite Party/s : Mr. Nagendra Pd., APP

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL ORDER

2 16-09-2015

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

The petitioner seeks bail in connection with Sessions
Trial No. 739 of 2010 arising out of Hilsa P. S. Case No. 21 of
2010 in which charges have been framed under Section 302 read
with 34 of the Indian Penal Code and 27 of the Arms Act.

According to the prosecution case, the petitioner is
the main assailant of the deceased. He is alleged to have fired
which hit on the back of the brother of the informant, as a result
of which, he died.

It is contended that though the petitioner is in
custody since 3.6.2014 only six out of nine witnesses could be

examined so far. The last witness was examined in this case on 29th May, 2014 and. since then, no witness has turned up on behalf of the prosecution.

Be that as it may, regard being had to the gravity of the offence and the specific allegation made against the petitioner, I am not inclined to grant bail to him. Accordingly, the prayer for bail is rejected.

The learned 2nd Additional Sessions Judge, Hilsa, Nalanda is directed to hold the trial of the petitioner expeditiously and conclude the same as early as possible preferably within nine months from today failing which the petitioner would be at liberty to renew his prayer for bail before the trial court itself. In that eventuality while passing the order of bail petition the trial court would be obliged to assign reason as to why the trial could not conclude within the stipulated time.

(Ashwani Kumar Singh, J.)

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