

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.7703 of 2015

Arising Out of PS.Case No. -149 Year- 2012 Thana -PANDAU District- MADHUBANI

Md. Islam, S/o Late Nabijan, R/o vill. - Mauahi, P.S.- Raj Nagar, Distt. -
Madhubani Petitioner

Versus

The State of Bihar Opposite Party

Appearance :

For the Petitioner/s : Mr. Krishna Prasad Singh, Sr. Advocate
Mr. Ram Shankar Das, Advocate

For the Opposite Party/s : Mr. H. A. Khan, APP

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL ORDER

3 22-04-2015

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

The petitioner seeks bail in connection with
Sessions Trial No. 90 of 2013 arising out of Pandaul P.S. Case
No. 149 of 2012 registered for the offences punishable under
Sections 147, 148, 149, 307, 302, 120B, 324, 27 of the Arms
Act and 3/5 of the Explosive Substance Act.

The prayer for bail of the petitioner was earlier
rejected by this Court vide a reasoned order dated 15.01.2014
passed in Cr. Misc. No. 28806 of 2013.

It has been contended that the petitioner is in
custody since 4.2.2013 and till date only one witness could be

examined on behalf of the prosecution in course of trial.

Be that as it may, for the reasons assigned in my earlier dated 15.01.2014 passed in Cr. Misc. No. 28806 of 2013, I am not inclined to grant bail to the petitioner for the present. Accordingly, the prayer for bail is rejected.

However, the learned 2nd Additional Sessions Judge, Madhubani, before whom the aforesaid sessions trial is pending, is directed to hold the trial on day-to-day basis and conclude the same as early as possible, preferably within one year 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 before trial court itself. **In that eventuality the trial court must assign reasons for delay in holding the trial while disposing of the bail application.**

(Ashwani Kumar Singh, J.)

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