

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.173 of 2015**

Arising Out of PS.Case No. -217 Year- 2012 Thana -KASIMBAZAR District- MUNGER

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Ravi Sharma @ Ravi Kumar, Son of Badal Sharma, Resident of Mohalla  
Bicha Gaon, P.S.- Kasim Bazar, District-Munger .... .. Petitioner

Versus

The State of Bihar .... .. Opposite Party

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**Appearance :**

For the Petitioner/s : Mrs. Soni Shrivastava, Adv.

For the Opposite Party/s : Mr. Subhash Chandra Mishra (App)

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**CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA**

**ORAL ORDER**

2 22-04-2015

Heard learned counsel for the parties.

The prayer for bail of the petitioner, who is accused for offence under sections 25(1-AA), 26(i)(ii), 35 of the Arms Act, Sections 4/5 of the Explosive Substance Act and Sections 17/20 of U.A.P.A.Act, was rejected by this Court by an order dated 9.4.2014 in Cr.Misc.No. 19906/2013 with a direction to the trial court to conclude the trial of the petitioner expeditiously.

Mrs. Soni Shrivastava, learned counsel appearing on behalf of the petitioner, while renewing the prayer for bail of the petitioner has submitted that till date only four out of eight witnesses have been examined by the prosecution and in fact only one witness was examined after the prayer for bail of the petitioner was rejected on 9.4.2014. She also submits that the petitioner is in custody since 1.12.2012 i.e. for a period of two years and four months.

This Court ordinarily having regard to the aforementioned

period of custody of the petitioner could have been inclined to grant bail to the petitioner but he has also criminal antecedent, inasmuch as he has been facing at least four more cases as detailed in paragraph no.3 of the bail application. This Court, therefore, at present is not inclined to grant bail to the petitioner.

Nonetheless keeping in view that the petitioner has remained in custody for a period over two years and four months and that the trial of the petitioner is already under way, this Court would direct the Superintendent of Police, Munger to ensure that the remaining four witnesses must be produced within a period of three months from the date of receipt of this order and if it is done so the trial court must ensure that the trial of the petitioner concludes within a period of six months from the date of receipt of this order.

If the trial of the petitioner is not concluded within the aforesaid period of six months, the petitioner will have the liberty to move this Court for grant of bail.

With the aforementioned observation and direction, this application is disposed of.

Let a copy of this order be sent immediately to both the Superintendent of Police, Munger as well as the trial court.

**(Mihir Kumar Jha, J)**

surendra/-

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