

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.20586 of 2016

Arising out of PS.Case No. -16 Year- 2016 Thana -LAXMIPUR District- JAMUI

Pravin Kumar Verma @ Gopaljee @ Praveen Kumar @ Preaveen Kumar,
son of Sri Mahendra Prasad Verma, resident of village- Kushumjori, P.S.-
Chandan, O.P.- Anandpur, Bharioganj, District- Jamui (Bihar).

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Dharendra Kumar Gupta, Advocete.

For the Opposite Party : Mr. Amrendra Pd. (App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 21-07-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is languishing in custody since 22.01.2016
in connection with Laxmipur P.S. Case No. 16 of 2016 for the
offences instituted under Sections 147, 148, 149, 121, 121(A),
120(B) of the IPC, 3, 4, 5 of the Explosive Substance Act, 25(1-b)
a, 26 of the Arms Act, 16,18, 20,21 and 22 of the Unlawful
Activities(Prevention) Act.

The prosecution story, in brief, is that one loaded country
made musket, cartridges, *Naxali* Parcha, detonators and
photograph of the petitioner with *Naxali* associates in uniform
have been recovered from possession of the petitioner.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 22.01.2016 and the charge sheet has been submitted in the present case. There is no allegation of tampering with the evidence against the petitioner. He has been made accused in the present case due to mistake of fact. He had no concern with the offences as alleged against him. The petitioner has been made accused for the political reason.

On behalf of the State it has been submitted that the petitioner is named in the F.I.R. and he was apprehended with fire arm and detonators.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioner. The same is rejected in Laxmipur P.S. Case No. 16/2016, vide U.A.P. Case No. 07/2016, pending in the court of the learned District and Sessions Judge, Jamui. Anyhow, the court below is directed to take all necessary steps to conclude the trial preferably within a period of nine months from the date of receipt/production of copy of this order.

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(Sudhir Singh, J)