

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2582 of 2016

Arising Out of PS.Case No. -433 Year- 2007 Thana -SAHARSA District- SAHARSA

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RAJU MANDAL @ RAJAN MANDAL @ BIRENDRA MANDAL @
RANJAN KUMAR @ RANJAN MANDAL Son of Chulahi Mandal R/o
Village Piprahi, P.S. Raghapur, District Supaul

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Mishra, Advocate

For the Opposite Party/s : Mr. Ram Sumiran Roy(App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

4 13-04-2016 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with S.T. No.
330 of 2013 arising out of Saharsa P.S. Case No. 433 of 2007
registered for the offences punishable under Sections 399, 402 and
414 of the Indian Penal Code and Section 25(1-B)a, 26 and 35 of
the Arms Act.

The petitioner was earlier granted bail vide order dated
05.12.2008 in Cri. Misc. No. 44076 of 2008 but later on his bail
was cancelled as the petitioner escaped from the custody and then
he filed Cri. Misc. No. 50227 of 2013 which was dismissed as
withdrawn and again filed Cri. Misc. No. 37977 of 2014 which

was also rejected vide order dated 08.04.2015 with a direction to expedite the trial.

Submission is that the petitioner is in custody since 07.08.2013, charges have already been framed on 23.06.2015, the petitioner is only earning member of his family and his entire family is at the verge of starvation and, as such, now the petitioner deserves sympathetic consideration to which the learned A.P.P. opposes.

In the facts and circumstances stated above, considering that the petitioner escaped from the custody and he has got criminal antecedent as he is involved in 15 more cases and some of them are under Arms Act also and, as such, I am not inclined to enlarge the petitioner on bail and accordingly, his such prayer stands rejected in connection with S.T. No. 330 of 2013 arising out of Saharsa P.S. Case No. 433 of 2007 pending in the court of learned Additional Sessions Judge-02, Saharsa.

However, the learned trial court is directed to expedite the trial and conclude the same preferable with a period of six months after taking the same on day to day basis, if possible.

(Jitendra Mohan Sharma, J)

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