

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30671 of 2016

Arising Out of PS.Case No. -65 Year- 2009 Thana -MUNGER MUFFASIL District- MUNGER

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1. Mahendra Sharma Son of Etwari Sharma Resident of village- Maiterasi,
P.S.- Muffasil, District- Munger

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajit Kumar Singh

For the Opposite Party/s : Sri Anil Kumar

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

04/ 29.08.2016 Supplementary affidavit is filed on behalf of the petitioner disclosing this fact that he has been convicted in Munger Mufassil P.S. case no. 169/2011 corresponding to Sessions Trial no. 744/2011.

Heard learned counsel for the petitioner as well as learned Addl. Public Prosecutor for the State.

A mini gun factory is said to be unearthed from the house of the petitioner and five country made pistols, cartridges of rifle and several other articles were recovered from there.

Earlier petitioner was granted the privilege of bail by a coordinate bench of this court vide order dated 22.7.2010 passed in Cr. Misc. no.23211/2010 with condition and if he is made accused in similar nature of case, his bail shall be cancelled. It was brought to the notice of coordinate bench of this court that the petitioner had committed similar nature of case and thereafter, bail of the petitioner was cancelled by the said bench vide order dated 20.2.2013 passed in

Cr. Misc. no.33265/2012 and thereafter, petitioner could be remanded in this case on 13.3.2016.

In course of hearing, learned counsel appearing for the petitioner fairly concedes to this effect that the petitioner had already been convicted in a case registered for the offence under Arms Act. Therefore, considering the aforesaid facts and circumstances as well as submissions of the parties, I am not inclined to release the petitioner on bail and accordingly, his prayer for bail in connection with Sessions Trial no. 545/2009 arising out of Mufassil P.S. Case no. 65/2009 stands rejected.

However, the learned trial court is directed to expedite the trial of the petitioner and try to conclude the same as early as possible, preferably, within six months from the date of receipt/production of a copy of this order even by taking trial of the petitioner on day to day basis.

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(Hemant Kumar Srivastava,J)

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