

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28850 of 2016

Arising Out of PS.Case No. -402 Year- 2015 Thana -BIHTA District- PATNA

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Rakesh Singh @ Rakesh Kumar, S/o Vidya Singh, r/o Katarhi, P.S.- Rani Talab, District- Patna.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Arvind Kumar Sharma, Advocate

For the Opposite Party : Mr. Sri Awadhesh Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 27-07-2016 Heard learned counsel for the petitioner and learned A.P.P. representing the State.

Petitioner seeks bail in connection with Bihta P.S. case no. 402/2015 registered for the offence punishable under Section 302/34 of the Indian Penal Code and Section 27 of the Arms Act.

Petitioner wants to renew his prayer for bail which was earlier rejected by order dated 18.02.2016 passed in Cr. Misc. no. 57987 of 2015 on the ground that there is allegation for killing the deceased against three persons and only one injury has been found in the post-mortem report. The petitioner in his confession has not stated that he shot the deceased and he is in custody since 06.06.2015.

The learned A.P.P. duly assisted by learned counsel for the informant opposes the prayer of bail by submitting that it was the petitioner and two other co-accused who took away the deceased and the deceased narrated their names as assailants and further, the petitioner has confessed his guilt also. He also submitted that trial will be concluded within six months as at the time of framing of charge, some Section was omitted and for that the date has been fixed.

At this stage, finding no good ground for reconsideration of prayer for bail, again the prayer of the petitioner is rejected.

However, the learned Trial Court is directed to expedite the trial and conclude the same as early as possible, preferably within six months from the date of receipt/ production of a copy of this order after taking the same on priority basis. The learned counsel for the informant is also directed to instruct the informant to produce the prosecution witnesses regularly so that the trial be concluded at the earliest.

(Jitendra Mohan Sharma, J.)

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