

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24042 of 2016

Arising Out of PS.Case No. -35 Year- 2015 Thana -CHHABILAPUR District- NALANDA
(BIHARSHARIFF)

Suresh Rajbanshi, S/o Chhote Lal Rajbanshi, Resident of village - Chaurma
Balganga, P.S. - Nardiganj, District - Nawada.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Anil Kumar No.1, Advocate
For the Opposite Party : Mr. Parmanand Pd.(App)

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

3 27-07-2016 Heard learned counsel for the petitioner and
learned A.P.P. representing the State.

Petitioner seeks bail in connection with
Chhabilapur P.S. case no. 35/2015 registered for the offence
punishable under Section 396 of the Indian Penal Code and
Section 27 of the Arms Act.

A supplementary affidavit has been filed on
behalf of petitioner annexing copy of deposition of prosecution
witnesses namely Subodh Kumar, Sanjay Yadav, Punam Kumari,
Pinku Kumar, Nagina Paswan, Sanjay Kr. Yadav and Sanjay
Gope. Keep it on record.

Petitioner wants to renew the prayer for bail which was earlier rejected by order dated 06.11.2015 passed in Cr. Misc. no. 32620 of 2015 which was disposed of along with Cr. Misc. no. 32456 of 2015 on the ground that T.I.P. was conducted on 08.04.2015 though the occurrence is of 23.03.2015 and further the same is not in accordance with law. No specific overt act has been alleged by those witnesses during T.I.P. against the petitioner and the petitioner is suffering in custody since 07.03.2015.

The learned A.P.P. opposes the prayer of bail by submitting that trial is in progress and nine prosecution witnesses have already been examined and the trial is likely to be concluded.

In the facts and circumstances stated above, at this stage I am not inclined to reconsider the prayer of bail of the petitioner and again as such, prayer stands rejected.

However, let the trial be expedited and concluded as early as possible, preferably within four months from the date of receipt/ production of a copy of this order.

(Jitendra Mohan Sharma, J.)

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