

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2027 of 2016

Arising Out of PS.Case No. -20 Year- 2015 Thana -BIHRA District- SAHARSA

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1. Amit Paswan Son of Rajendra Paswan resident of village - Samda, P.S.
Sour Bazar, District - Saharsa

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Mishra

For the Opposite Party/s : Mr. S.N Shukla (App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

3 22-04-2016 Heard the learned counsel for the petitioner as well as
the learned A.P.P for the State.

The petitioner seeks bail in a case for the offences punishable under sections 25 (1-B) A, 26 and 35 of the Arms Act.

Allegedly, from possession of the petitioner one country made loaded pistol and two live cartridges besides other articles were recovered.

Submission is of false implication and that the petitioner has been made victim of the circumstances, his signature has been obtained forcibly on a blank paper and he is suffering in custody since 31.01.2015, other co-accused Arun Yadav has been allowed bail.

The learned A.P.P. opposes prayer for bail by submitting that the petitioner has got criminal antecedent as he is

involved in twelve more cases and further he is involved in three cases under the Arms Act.

In the facts and circumstances as stated above, considering the aforesaid criminal antecedents of the petitioner and again the alleged recovery, at present I am not inclined to enlarge the petitioner on bail and accordingly his such prayer stands rejected in connection with Bihra P.S. Case No. 20 of 2015 pending in the court of the learned Chief Judicial Magistrate, Saharsa.

However, the learned trial court is directed to expedite the trial and to conclude the same preferably within a period of four months from the date of receipt/ production of a copy of this order after taking the same on the priority basis and if possible to keep the same on the day to day basis. The learned trial court is also directed to take all positive steps to secure attendance of the prosecution witnesses.

Let a copy of this order be also sent to the concerned Superintendent of Police for securing attendance of the prosecution witnesses by directing the Officer Incharge concerned.

(Jitendra Mohan Sharma, J)

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