

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18038 of 2016

Arising Out of PS.Case No. -509 Year- 2015 Thana -ARARIA District- ARARIA

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Md. Jahangir @ Jakir @ Karia @ Jahagir Son of Md. Ziyauddin, Resident
of Village - Islam Nagar, Ward No. 27, P.S. - Araria, District - Araria.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kundan Kumar Singh, Advocate

For the Opposite Party/s : Mr. Bharat Bhushan, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 18-08-2016

Heard learned counsel for the Petitioner and the State.

The Petitioner seeks bail in Araria P.S. case No.509 of 2015 (G.R. No.2940 of 2015) instituted for the offence under Section 414 of the Indian Penal Code and 25(1-b)a, 26, 35 of the Arms Act, pending in the court of Sri Ashis Ranjan, learned Judicial Magistrate, 1st class, Araria.

The prosecution case, in brief, is that on 29.9.2015 the informant, who is S.I. of Araria P.S., received information that some notorious criminals were coming on a looted motorcycle. On that information he along with other police personnel went at Zero mile, where two persons riding on a motorcycle came and they were stopped. On query, they disclosed their names as Md. Jahangir i.e. the petitioner and another Md. Ashif. On search, a

country made pistol with cartridge and one mobile was recovered from the possession of the petitioner.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 30.9.2015 and the charge sheet has been submitted in the present case. There is no allegation of tampering of witnesses against the petitioner. One pistol along with a cartridge is said to have been recovered from the possession of the petitioner. There is no compliance of Section 100 of the Cr.P.C.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

A report was called for from the Superintendent of Police, Araria. It has been reported that the petitioner has admitted that he has committed the murder of a business-man in the territory of Nepal and after his arrest he had fled away from the jail in Nepal.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioner. The same is rejected. The Trial Court is directed to take all necessary steps to conclude the trial within a period of nine months from the date of receipt/production of a copy of this order.

The Superintendent of Police, Araria is also directed to

ensure that the prosecution witnesses are produced on the date fixed by the Trial Court.

Let this order be communicated to the Superintendent of Police, Araria.

(Sudhir Singh, J)

Narendra/-

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