

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36791 of 2016

Arising Out of PS.Case No. -31 Year- 2014 Thana -SAKSOHRA District- PATNA

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Sanjay Kumar Singh @ Sanjay Kumar @ Kura S/o Sri Baban Singh @
Baban Prasad Singh resident of Village-Bhawanchak, P.S.- Saksohra,
District- Patna

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Bhaskar Shankar, Advocate.

For the Opposite Party : Mr. Indra Kumar Singh, APP.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 21-12-2016 Heard both sides.

The petitioner seeks bail in Saksohra P.S. Case No. 31 of 2014, corresponding to Sessions Trial No. 443 of 2015, registered for the offences punishable under Sections 302 and 34 of the Indian Penal Code and under Section 27 of the Arms Act.

The informant alleged that the petitioner along with other accused persons made indiscriminate firing after putting his brother Viveka Yadav on the ground. Thereafter Dhiraj Kumar Singh, Rakesh Kumar Singh and Shiv Kumar Singh have also fired.

Learned counsel for the petitioner submits that the prayer for bail of the petitioner was earlier rejected vide order dated 17.09.2015 passed in Cr. Misc. No. 22638 of 2015. More



than one year has elapsed and the trial has not yet been concluded. The trial court has reported that only one witness was examined on 04.12.2015 and non-bailable warrant of arrest was issued against prosecution witnesses but the prosecution did not produce the witnesses.

Learned counsel for the informant submits that one more prosecution witness was examined.

Considering the nature of allegation made against the petitioner that the petitioner also made indiscriminate firing and as many as 11 firearm injuries were found on the body of the deceased, I am not inclined to enlarge the petitioner above named on bail. Accordingly, the same is rejected.

The Additional Sessions Judge-IV, Barh, Patna is directed to hold the trial of Sessions Trial No. 443 of 2015, arising out of Saksohra P.S. Case No. 31 of 2014 on day-to-day basis from next day fixed for evidence, so that the trial must be concluded within six months from the date of this order.

The A.S.P., Barh, Patna is directed to ensure the presence of all the non-examined prosecution witnesses of Sessions Trial No. 443 of 2015, arising out of Saksohra P.S. Case No. 31 of 2014 so that the trial must be concluded within six months.



Let a copy of this order be sent to the trial court as well
as A.S.P., Barh, Patna for information and needful.

(Prabhat Kumar Jha, J.)

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