

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29324 of 2016

Arising Out of PS.Case No. -13 Year- 2016 Thana -RIGA District- SITAMARHI

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Shyam Sundar Singh S/o Late Ram Vilash Singh, resident of village -
Chainpur, P.S. Riga, District - Sitamarhi

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Krishna Prasad Singh, Sr. Advocate
Mr. Virendra Kumar, Advocate
For the Opposite Party/s : Mr. Yogendra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 05-09-2016

Heard learned counsel for the Petitioner and the State.

The Petitioner seeks bail in Riga P.S. case No.13 of 2016 instituted for the offence under Sections 25(1-B)a/26 of the Arms Act, pending in the court of learned A.C.J.M. III, Sitamarhi.

The prosecution case, in brief, is that the on the alleged date and time of occurrence, on secret information the informant along with other police personnel came to the tea stall of one Chhotelal. On seeing the police party, one person tried to flee away but he was arrested by the police, who disclosed his name as the petitioner and on search one pistol loaded with four live cartridges was recovered.

A report was called for from the Trial Court regarding the stage of the trial. It has been reported that within three months the trial of the case is expected to be concluded.

It has been submitted on behalf of the petitioner that the

petitioner is in custody since 10.01.2016. Charge has already been framed. There is no allegation of tampering of witnesses against the petitioner. One pistol along with four cartridges 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.

Considering the aforesaid facts and circumstances and the stage of the case, 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 preferably within a period of three months from the date of receipt/production of a copy of this order.

The District Magistrate, Sitamarhi and the Superintendent of Police, Sitamarhi are also directed to take necessary steps to produce the witnesses on the date fixed by the Trial Court so that the trial could be concluded within the stipulated period.

Let this order be communicated to the District Magistrate, Sitamarhi and the Superintendent of Police, Sitamarhi.

(Sudhir Singh, J)

Narendra/-

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