

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35000 of 2015

Arising Out of PS.Case No. -72 Year- 2012 Thana -BRAHMPURA District- MUZAFFARPUR

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Bhairav Nath Tripathi @ Bhairav Tripathi @ Master Son of Jagat Narain
Tripathi Resident of Village - Ahiyapur, Police Station - Sahebganj, District
- Muzaffarpur.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Rakesh Ranjan, Advocate

For the Opposite Party : Mr. Bharat Bhushan, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 19-07-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is in custody in connection with
Brahmpura P.S.Case No.72 of 2012 pending in the Court of
CJM, Muzaffarpur registered for an offence under Sections
25(1-B)A, 26(ii) and 35 of the Arms Act.

As per the allegation, the petitioner was arrested with
carbine in the said vehicle and the charas is beyond the
commercial quantity.

The earlier bail application of the petitioner was rejected
by this Court vide Cr.Misc.No.50172 of 2012 and
Cr.Misc.No.35472 of 2014 taking into account that in the same
transaction two K.G. charas and a carbine were recovered from the

vehicle in which the petitioner was there. Though the separate cases were instituted under the NDPS Act and under the Arms Act. Petitioner is in custody since 07.05.2012 and the trial of the case has already started but there is no chance of the trial being concluded in the near future, hence the petitioner seeks bail.

On behalf of the State, it has been submitted that the petitioner is named in the FIR and there is a recovery of two K.G. charas and a carbine and the case is of serious nature.

Considering the aforesaid facts and circumstances, I am not inclined to release the above named petitioner on bail, the same is rejected.

Anyhow, the trial Court is directed to take all necessary steps to conclude the trial preferably within a year from the date of receipt/production of a copy of this order.

(Sudhir Singh, J)

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