

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.1233 of 2017

Arising Out of PS.Case No. -65 Year- 2015 Thana -AMAS District- GAYA

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Kavi Pandit @ Panditjee, Son of Balmukund Pandey, Resident of
Village+P.S.- Gurua, District- Gaya.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Md. Javed Jafar Khan

For the Opposite Party/s : Mr. Gauri Shankar Gupta

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 22-02-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks bail in a case instituted under
Sections 147, 148, 149, 302 of the Indian Penal Code, Section 27
of the Arms Act and Section 17 C.L.A. Act.

As per allegation, while the informant, deceased and
other two persons were going to village Paharpur in search of
labourers, they were attacked by the members of Naxalite. The
deceased received fire shot and others managed to escape. The
allegation against the petitioner is that he made a phone call to
Sheru Khan that deceased Ashraf Khan had been fired shot and
lying near Paharpur Tand. The deceased was declared dead when
he was taken to hospital.

Earlier the bail application of the petitioner was
rejected vide Annexure-1 to the present application taking into the



ground that he is main assailant of the deceased. This is the second attempt made on behalf of the petitioner for grant of bail.

A report was called for from the Trial Court regarding the stage of the case. It has been reported that the case has already been committed to the court of Sessions.

Considering the aforesaid facts and circumstances and stage of the case, I am not inclined to grant bail to the petitioner. The same is rejected in Amas (Gaya) P.S. case No. 65 of 2015, G.R. No. 553 of 2015, pending in the court of learned S.D.J.M., Sherghati at Gaya.

However, the Trial Court is directed to take all necessary steps to expedite the trial and conclude the same at the earliest.

The District Magistrate, Gaya and the Senior Superintendent of Police, Gaya are directed to ensure that the prosecution witnesses are produced in the court on the date fixed by the court below, so that the trial could be concluded within the stipulated period, as indicated by the court below.

Let a copy of this order be communicated to the District Magistrate, Gaya and the Senior Superintendent of Police, Gaya.

(Sudhir Singh, J)

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