

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5790 of 2017

Arising Out of PS.Case No. -66 Year- 1999 Thana -KHAGAUL District- PATNA

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Mankar Chaudhary @ Makarwa , son of Late Shivpujan Chaudhari, resident
of Nainchak, P.S. Khagaul, District Patna

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ghanshyam Tiwary, Advocate

For the Opposite Party/s : Smt. Rita Verma, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 16-02-2017

Heard learned counsel for the petitioner.

This is an application for bail in connection with
Khagaul P.S.Case No. 66 of 1999, corresponding to Sessions Trial
No. 377 of 2002, for the offences under Sections 307, 353, 333,
387/34 of the Indian Penal Code and Section 27 of the Arms Act
including 3/4 of the Explosive Substance Act.

It has been submitted on behalf of the petitioner that
this case relates to misuse of privilege of bail for 11 years but, as a
matter of fact, the petitioner had gone outside State in connection
with his livelihood and he could not make pairvi in the case and
now he has remained in custody for three and a half months. It has
further been submitted that the case has been committed but no
witness has been examined up till now.

Heard learned APP also.



Having heard both sides and considering the fact that petitioner has misused the privilege of bail for 11 years, I am not inclined to grant bail to the petitioner.

However, trial court is directed to expedite and conclude the trial within a period of six months on day-to-day basis. If trial is not concluded within the said period, the petitioner will be at liberty to renew his prayer for bail in the court below itself and learned court below will dispose of the same considering the period of detention, without being prejudiced by this order.

With the above observations, this application is disposed of.

(Vinod Kumar Sinha, J)

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