

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13595 of 2017

Arising Out of PS.Case No. -446 Year- 2005 Thana -NATHNAGAR District- BHAGALPUR

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Dilip Das @ Deepak Das, son of Durga Das, resident of village - Jichho Sardho, Police Station Sabour, District - Bhagalpur

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Ms. Anita Kumari Singh, Advocate

For the Opposite Party/s : Mr. Ahmad Ali, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 22-03-2017

Heard learned counsel for the petitioner.

This is an application for bail in connection with Nath Nagar (Madhusudanpur) P.S.Case No. 446 of 2005 for the offences punishable under Sections 307/34 of the Indian Penal Code and 27 of the Arms Act.

It has been submitted on behalf of the petitioner that though this is a case of misuse of privilege of bail but not intentionally as the petitioner after granting bail has left for his service place and when he came back he met with an accident and as such he could not attend the court and now he is in custody for four months. It has further been submitted that charges have been framed in this case by now.

Heard learned APP also.



Having heard both sides and from perusal of the impugned order it appears that due to fault of the petitioner the trial was delayed for six years, as such, I am not inclined to grant bail to the petitioner.

As the charges have been framed in this case, learned trial court is directed to conclude the trial within a period of six months. However, if the trial is not concluded within the said period, the petitioner will be at liberty to renew his prayer for bail before the court below itself, who will consider the period of detention and pass appropriate order.

Accordingly, this application is dismissed.

(Vinod Kumar Sinha, J)

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