

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.9124 of 2017

Arising Out of PS.Case No. -53 Year- 1993 Thana -NAUGACHIA District- BHAGALPUR

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Laxmi Singh Son of late Chano Singh Resident of Village Telghi, P.S.
Kharik, District Bhagalpur. Petitioner

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Praveen Kumar

For the Opposite Party/s : Mr. Sri Aditya Narayan Singh 1

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

4 25-04-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Naugachia
P.S. Case No. 53 of 1993 registered for the offences punishable
under Sections 302, 147, 148, 149 of the Indian Penal Code and
Section 27 of the Arms Act.

The petitioner wants to renew his prayer of bail, which were
earlier rejected thrice vide order dated 07.01.2013, 08.01.2014 and
08.07.2015 passed in Cr. Misc. No. 50745 of 2012, 42758 of 2013
and 51390 of 2014 respectively, on the ground that the petitioner
is suffering in custody since 02.09.2016, the petitioner was not
aware regarding this case, resulting, he did not surrender earlier,
the allegation against the petitioner is general and omnibus that
the petitioner and others have caught hold the deceased. Convicted
appellant Jharkhandi Singh and Buchi Singh have already been



allowed bail vide order dated 03.04.2014 passed in Cr. Appeal No. 243 of 2013 and the petitioner by remaining in custody has now sufficiently been penalized, in near future the trial is not likely to be concluded which is evident from the report of learned 2nd Additional Sessions Judge, Naugachiya.

Learned APP opposes the prayer of bail by submitting that the trial is in progress, 8 prosecution witnesses have already been examined, due to fault of the petitioner the trial has remained pending and he remained absconding.

In the facts and circumstances stated above, at present, this Court is not inclined to enlarge the petitioner on bail, accordingly, his such prayer again stands rejected.

However, learned trial court is again directed to expedite the trial and conclude the same as early as possible, preferably within five months from the date of receipt/production of a copy of this order, failing which the petitioner may renew his prayer of bail.

(Jitendra Mohan Sharma, J)

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