

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21425 of 2017

Arising Out of PS.Case No. -33 Year- 2001 Thana -BAHERI District- DARBHANGA

=====

Reyaz Nadaf Son of Late Bhunu Nadav alias Bhunna Nadaf Resident of
Village- Chhotaki Daine, P.S.- Baheri, District Darbhanga.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Mohammad Sufyan

For the Opposite Party/s : Mr. Sri Arun Kumar

=====

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 12-05-2017 The petitioner seeks regular bail in connection with

Baheri P.S. Case No. 33 of 2001, registered for offences

punishable under section 171(F), 147 and 307 of the Indian Penal

Code and Section 3/4 of the Explosive Substances Act.

This is a case of misuse of privilege of bail about

nine years.

It has been submitted on behalf of the petitioner that

he was mentally not sound and as such he could not make pairvi in

this case. Later on, he was arrested and is in custody since

28.12.2016. It has further been submitted that sessions trial is of

the 2003 and till 2017 only two witnesses have been examined and

there is no progress with the aforesaid trial, as such, he may be

granted bail with terms and conditions imposed on him.



Having considered the facts and circumstances and in view of long misuse of privilege of bail and he was arrested after compliance of section 82 and 83 of the Cr.P.C., I am not inclined grant bail to the petitioner at this stage. Further the trial court is directed to expedite the trial of the petitioner as the sessions trial is of the year 2003 and try to conclude the same within a period of six months. At the same time S.P., Darbhanga is directed to ensure the attendance of witnesses in this case on the date fixed.

If not concluded, the petitioner will be at liberty to move before the court concerned itself for grant of bail and the court will consider the conduct of the petitioner during this period and will pass appropriate order without being prejudiced by the order of this court.

Accordingly, this application is dismissed.

(Vinod Kumar Sinha, J)

Ravi/-

U		T	
---	--	---	--

