

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34996 of 2017

Arising Out of PS.Case No. -148 Year- 2004 Thana -MARHAURA District- SARAN

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1. Vijay Kumar Singh @ Munna Singh @ Munna Thakur Son of Shivji Singh @ Shivji Thakur, R/o Village- Nethuan, P.S.- Marhowrah, District- Saran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anita Kumari

For the Opposite Party/s : Mr. Ajay Kumar-1

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

03 06.09.2017 Heard learned counsel for the petitioner as well as learned Addl. Public Prosecutor for the State and also heard learned counsel for the informant.

Earlier prayer for bail of the petitioner was rejected by this court taking note of this fact that the petitioner is said to have opened fire by rifle on the deceased.

Learned counsel for the petitioner seeks bail on the ground of long detention of the petitioner in jail custody.

Report of Addl. Sessions Judge X, Saran at Chapra goes to show that the petitioner was sent to Central jail, Gaya on 3.8.2017 by the jail authorities and due to non-production of the petitioner, charge could not be framed.



Learned counsel for the petitioner submits that the petitioner has been implicated in this case due to enmity and, as a matter of fact, nearby witnesses of the place of the occurrence have not supported the prosecution case and moreover, the petitioner is in jail custody since 1.1.2016 but up till now, charge could not be framed against the petitioner.

On the other hand, learned counsel appearing for the informant vehemently opposed the prayer pointing out that the petitioner does have criminal antecedent of several cases and even while the petitioner was lodged in jail in connection with present case, he conspired with his supporters and got killed the informant of the present case for which Marhowrah P.S. Case no. 291/2017 has been registered against the petitioner as well as others.

Considering the aforesaid facts and circumstances as well as submissions of the parties, I am not inclined to release the petitioner on bail and, again, his prayer for bail in connection with Session trial no. 143/2017 arising out of Marhowrah P.S. Case no. 148/2004 pending in the court of Addl. Sessions Judge X, Saran at Chapra stands rejected.

However, learned trial court is directed to take



effective steps for production of the petitioner in his court in the present case and expedite the trial of the petitioner and try to conclude the same as early as possible.

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(Hemant Kumar Srivastava,J)

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