

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.24405 of 2017**

Arising Out of PS.Case No. -16 Year- 2016 Thana -FALKAHA District- KATIHAR

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1. Md. Kaisar @ Md. Kaisar Zia S/o Md. Ziyauddin Resident of Village -  
Gariban Tola, Gulabbagh, P.S. Sadar, District - Purnea.

.... .... Petitioner/s

Versus

1. The State of Bihar.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Manish Kumar

For the Opposite Party/s : Mr. Sri Jai Narain Thakur

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**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA**  
**ORAL ORDER**

3      05-07-2017      Heard the parties.

This application is for grant of regular bail in connection with Falka (Pothia) P.S.Case No.16 of 2016 (G.R.Case No.239 of 2016) for the offences under Sections 399, 402, 353, 414, 307, 341, 342 and 365 of the Indian Penal Code and Section 25(1-B) a/26, 35 of the Arms Act and 21 and 22 of NDPS Act.

Allegation against the petitioner is that he along with other accused persons were arrested by the police on informantion and from the other accused persons pistols and cartridges were recovered and from this accused, injection & some fortwin and other articles have been recovered. From perusal of the impugned order, it also appears that in the statement made under Section 164 Cr.P.C., the petitioner has been named and further he has been



identified in the T.I.P. The petitioner has criminal antecedent also. It is also submitted on behalf of the petitioner that those seized articles do not come under the purview of N.D.P.S.C. Act. It is further submitted that he is in custody since 24.1.2016 as well as he is a law student.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, I am not inclined to grant bail to the petitioner, however, considering the fact that he is in custody for about 1 ½ year, the learned trial court is directed to expedite the trial and try to conclude it within a period of nine months. At the same time, the S.P., Katihar is also directed to ensure presence of the witnesses in this case on each and every date fixed so that the case may be disposed of within the period as specified.

With the aforesaid observation, this application is dismissed.

**(Vinod Kumar Sinha, J)**

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