

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42266 of 2017

Arising Out of PS.Case No. -55 Year- 2016 Thana -MAJORGANJ District- SITAMARHI

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Sanjeev Anand, S/o Shri Jugal Kishore Singh, resident of Village- Amba Khurd, P.S.- Majorganj, District- Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Daya Shankar Prasad Sinha, Advocate

For the informant : Mr. Vijay Anand, Advocate.

For the Opposite Party/s : Mr. Nityanand Tiwary, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 01-11-2017 Heard learned counsel for the petitioner, learned counsel for the informant and learned counsel for the State.

The petitioner seeks bail in Majorganj P.S. Case No. 55 of 2016 instituted for the offence under Sections 147, 148, 149, 341, 302, 307, 323, 504 of the Indian Penal Code read with Section 27 of the Arms Act.

Learned counsel for the petitioner has submitted that petitioner is in custody since 13.04.2016. The wife of the petitioner is suffering from Tuberculosis and she is not given proper treatment on account of petitioner being behind the Bars.

Learned counsel for the Informant and learned A.P.P. have appeared. There is specific allegation against the petitioner of causing firearm injury against Vinay Anand (Petitioner). This



fact also got support from the postmortem report.

Report regarding present status of trial was called for from the court below which has been received. From the report, it appears that charge has already been framed in this case on 26.07.2017 and no witness has been examined in this case.

Since the petitioner is main assailant, this Court is not inclined to grant bail to the petitioner at this stage.

Prayer for bail of the petitioner stands rejected.

Trial Court is however directed to expedite the trial of this petitioner by fixing the case after giving short adjournments and make all efforts to conclude the same within a period of nine months from the date of receipt of this order. The court below will not give unnecessary adjournments to any party and he will also make effort to proceed in the case preferably on day-to-day basis.

Learned counsel for the informant has submitted that he will also cooperate in disposal of the case and will produce witnesses on each and every date.

The petitioner is given liberty to renew his prayer for bail in the court below itself in the event the trial is not concluded within nine months and the court below in that event will give reason in the bail order for not concluding the trial within



aforesaid period.

The Superintendent of Police, Sitamarhi, will also ensure that witnesses are produced in the case for their evidence on the date fixed in the case.

Let a copy of this order be also sent to the Superintendent of Police, Sitamarhi, in connection with Sessions Trial No. 202 of 2017 arising out of Majorganj P.S. Case No. 55 of 2016 pending before the learned Fast Track Court-II, Sitamarhi.

(Sanjay Priya, J)

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