

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34952 of 2017

Arising Out of PS.Case No. -70 Year- 2004 Thana -FATEHPUR District- GAYA

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Niranjan Manjhi, son of Raghunath Manjhi, R/o Village- Salaiya Khurd,
P.S.- Fatehpur, District- Gaya.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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with

Criminal Miscellaneous No.44124 of 2017

Arising Out of PS.Case No. -70 Year- 2004 Thana -FATEHPUR District- GAYA

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Shiv Nandan Yadav, son of Sri Ram Prasad Yadav, Resident of Village-
Salaiya Kala Tola- Rajaramchak, P.S.- Fatehpur, District- Gaya.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

(In Cr.Misc. No.34952 of 2017)

For the Petitioner/s : Mr. Ajay Kumar Sinha

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary

(In Cr.Misc. No.44124 of 2017)

For the Petitioner/s : Mr. Sanjay Kumar Sharma

For the Opposite Party/s : Mr. Ram Sumiran Roy

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 18-09-2017 Since both the cases arise out of same P.S.case number

they have been heard together and are being disposed of by this

common order.

Heard learned counsel for the petitioners in both the

cases.

The applications for bail has been filed in connection



with Fatehpur P.S.Case No. 70 of 2004 registered for the offences punishable under Sections 147, 148, 149, 341, 323, 325, 302 of the Indian Penal Code and 27 of the Arms Act.

Petitioners are named in the FIR and the case is under Section 302 and other sections of IPC, including 27 of the Arms Act. It further appears that the case relates to the year 2004 and petitioners surrendered after a lapse of 13 years.

Submission of learned counsel for the petitioners is that the main accused in this case has already been acquitted and petitioner Niranjan Manjhi has earlier come to this Court for grant of anticipatory bail and petitioner was directed to surrender and pray for regular bail. Further submission is that petitioner are in custody since 24.5.2017 and 24.4.2017 respectively.

Heard learned APP also.

Having heard both sides and in view of conduct of the petitioners that they have appeared after 13 years, I am not inclined to grant privilege of bail to the petitioners in both the cases.

However, learned court below court is directed to expedite commitment of the case and once case has been committed learned trial court is directed to expedite the trial and try to conclude it within a period of six months. If trial is not



concluded within the said period, petitioners may renew their prayer for bail.

With the above observation, both the applications stand dismissed.

(Vinod Kumar Sinha, J)

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