

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50162 of 2016

Arising Out of PS.Case No. -87 Year- 2014 Thana -UJIYARPUR District- SAMASTIPUR

=====

1. Shankar Kunwar Son of Shri Ram Sagar Kunwar Resident of Village-
Bakhadda, P.S.- Matihani, District- Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Aaruni Singh

For the Opposite Party/s : Mr. Sri Suresh Prasad Singh

=====

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 15-02-2017 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

Earlier, the prayer for bail of the petitioner was rejected vide order dated 27.01.2016 passed in Criminal Misc. No.2212 of 2016. Again, I am not inclined to release the petitioner on bail taking note of the facts of the case as well as criminal antecedent of the petitioner and, accordingly, his prayer for bail in connection with Session trail no. 404 of 2014 arising out of Ujiyarpur P.S.Case No. 87 of 2014, pending in the court of Session Judge, , Samastipur camp at Dalsingsarai, stands rejected.

Before parting with this order, I would like to say that the impugned order dated 07.06.2016 passed in B.P. No.06C of 2016 by the Sessions Judge, Samastipur Camp at Dalsingsarai



goes to show that the case of the petitioner has already been committed to the court of sessions but, even then, the learned Sessions Judge entertained the bail petition of the petitioner separately. It is also obvious from the pleadings as well as submissions of the parties that the case record of the petitioner has already been transferred to the court of Additional Sessions Judge, Dalsingsarai, Samastipur and, therefore, the aforesaid fact goes to show that the learned Sessions Judge, Samastipur had no jurisdiction to entertain the bail petition of a case which was pending in another court.

(Hemant Kumar Srivastava, J)

N.K/-

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

