

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.9381 of 2017**

Arising Out of PS.Case No. -154 Year- 2016 Thana -DURAULI District- SIWAN

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Satish Jaiswal @ Santish Jaiswal S/o Laxman Jaiswal, R/o Vill.- Lar Chauk,  
P.S.- Lar, Dist.- Deoriya (UP).

.... .... Petitioner

Versus

The State of Bihar

.... .... Opposite Party

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**Appearance :**

For the Petitioner : Mr. Ajay Kumar Tiwary, Advocate.

For the Opposite Party : Mr. Brajendra Nath Pandey, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

2      16-03-2017                      Heard learned counsel for the petitioner and learned  
counsel for the State.

The petitioner is languishing in custody since 26.10.2016  
in connection with Darauli P.S. Case No. 154 of 2016 for the  
offences instituted under Sections 399, 402, 414 of the IPC and  
25(1-A)(1-B), 26 and 35 of the Arms Act.

The prosecution story, in brief, is that the informant after  
getting illegal assembling of the criminals, he alongwith other  
police personnels reached near *Babana Bazar* there they saw that  
two persons were sitting on the *Bikes* and three were in the shed.  
The miscreants started fleeing after being seen the police. The  
informant apprehended five persons including the petitioner.  
From possession of the petitioner, one country made pistol with



four live cartridges and mobile phone were recovered.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 26.10.2016 and the charge sheet has been submitted in the present case. There is no allegation of tampering of the witnesses alleged against the petitioner. One country made pistol alongwith four live cartridges are said to have been recovered from possession of the petitioner. No compliance of Section 100 Cr. P.C. has been made in the present case.

On behalf of the State, it has been submitted that the petitioner is named in the F.I.R. and 23 cases of similar nature are pending against him. In the social interest, it would not be proper to grant bail to the petitioner.

Considering the aforesaid facts and circumstances of the case, I am not inclined to grant bail to the petitioner. The same is rejected in Darauli P.S. Case No. 154 of 2016, pending in the court of the learned A.C.J.M.–III, Siwan. Anyhow, the learned court below is directed to take all necessary steps to conclude the trial of the petitioner preferably within a period of nine months from the date of receipt/production of copy of the order. .

The District Magistrate, Siwan and the Superintendent of Police, Siwan are also directed to take all necessary steps to produce the prosecution witnesses on the date fixed by the court



below so that the trial could be concluded within the stipulated period.

Let a copy of this order be communicated to the District Magistrate, Siwan and the Superintendent of Police, Siwan.

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**(Sudhir Singh, J)**

