

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23889 of 2017

Arising Out of PS.Case No. -148 Year- 2004 Thana –MARHOWRAH District- SARAN

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1. Sujit Singh Son of Late Raj Nath Singh, Resident of Village-Salimapur,
Police Station- Marhaurah, District- Saran at Chapra.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satya Prakash

For the Opposite Party/s : Mr. Arun Kumar Singh -5

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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 Marhowrah P.S.Case No.148 of 2004 correspondign to Sessions Trial No.143 of 2017, for the offences under Sections 302/34 of the Indian Penal Code and Section 27n of the Arms Act and Section 411 was further added.

Allegation against the petitioner, as per F.I.R. is that one of accused persons fired on the deceased and thereafter the petitioner and other accused persons also fired.

Submission of the learned counsel for the petitioner is that the post mortem report shows only one injury on the person of the deceased and further the another accused persons having similar allegation, has already been granted bail by this Court, vide order



dated 5.12.2011 passed in Cr. Misc. No.18818 of 2011.

Heard learned A.P.P. also, who has opposed the prayer for bail.

Having heard both sides and it appears from the record that the other co-accused having similar allegation has already been granted bail by this Court in the year, 2011 and the instant case is of the year, 2004 and further it appears from perusal of the record that the trial has commenced.

In such view of the matter, the learned trial court is directed to expedite the trial of the petitioner and if the trial is not concluded within a period of six months, the petitioner is at liberty to move for bail before the learned trial court itself, who will consider the materials available on the record against this petitioner and he will also consider the other facts that the another accused persons has already been granted bail. Considering this aspect of the matter, the learned trial court will pass appropriate order.

With the aforesaid observation, this application is dismissed.

(Vinod Kumar Sinha, J)

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