

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37582 of 2017

Arising Out of PS.Case No. -26 Year- 2017 Thana -GAMAHARIYA District- MADHEPURA

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1. Sintu Kumar S/o Bijendra Yadav, Resident of Village-Manahara
Sukhasan, Ward No.4, P.S.Singheshwar, District-Madhepura.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shekhar Kumar Singh

For the Opposite Party/s : Mr. Vinod Shankar Modi

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

4 27-11-2017 Heard learned counsel for the petitioner and

learned APP for the State.

Petitioner is languishing in custody since
01.03.2017 in connection with Gamharia P.S. Case No. 26
of 2017 for offences punishable under Sections 25(1-b)a,
26 of the Arms Act.

The prosecution case, as lodged by the police
personnel, is that on the self statement of the petitioner the
house of one Shanti Devi was searched and a country-
made pistol with live cartridge was recovered hidden in the
house. Accordingly, a seizure-list was prepared.

It has been submitted by the learned counsel for



the petitioner that he is innocent and except Gamharia P.S. Case No. 25 of 2017, which was lodged for the same offence, he is not accused in any other case. He submits that charges have been framed and petitioner undertakes to cooperate in the trial on day-to-day basis.

However, learned APP for the State opposes the prayer for bail stating therein that the present case is an off shoot of the other case bearing Gamharia P.S. Case No. 25 of 2017 under Section 302 of the Indian Penal Code and 27 of the Arms Act in which the petitioner had confessed to have killed his wife and hid the pistol, which was recovered on his own confession. He further submits that he has killed his wife in the parental house to whom he had married four years back.

Considering the facts and circumstances and the materials on record, I am not inclined to grant privilege of bail to the petitioner at this stage in connection with Gamharia P.S. Case No. 26/2017, pending in the court of learned A.C.J.M.-IV, Madhepura.

Application is, accordingly, rejected. However, trial court is directed to conclude the trial within a year.



Petitioner is at liberty to renew his prayer for bail if the trial is not concluded by that time.

(Nilu Agrawal, J)

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