

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45930 of 2017

Arising Out of PS.Case No. -44 Year- 2017 Thana -KURSELA District- KATIHAR

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MATRU MAHTO @ RANJEET, S/o Late Baidyanath Mahto, Resident of Village Gandhi Gram, Bind Tola P.S.- Kursela, District- Katihar, presently at Village- Ghat Tola, Gobrahi, P.S.- Kursela, District- Katihar.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Shashi Nath Jha

For the Opposite Party/s : Ms. Dr. Indihar Kumari

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 13-11-2017 Heard learned counsel for the petitioner.

This is an application for bail in connection with Kursela P.S.Case No. 44 of 2017 registered for the offences punishable under Sections 25(1-B)(a) and 26 of the Arms Act.

Allegation against the petitioner is of recovery of one loaded carbine, one country made pistol and 25 cartridges from his possession and FIR shows that one country made gun and some cartridges were recovered from the possession of other co-accused.

Submission of learned counsel for the petitioner is that no such recovery has been made and seizure list has been prepared at the police station and petitioner is in custody since 8.4.2017. Further submission is that other co-accused has been granted bail



by a co-ordinate Bench of this Court vide order as contained in Annexure-2.

Heard learned APP also, who has opposed the prayer for bail on the ground of recovery of fire arms, including carbine and petitioner has criminal antecedents also.

Having heard both sides and in view of facts and circumstances, as stated above, I am not inclined to grant bail to the petitioner. Hence prayer for bail is rejected.

However, as the petitioner is in custody for seven months, learned trial court is directed to expedite the trial and try to conclude it within a period of six months on regular basis. At the same time, Superintendent of Police, Katihar is directed to ensure presence of the witnesses in court so that trial be concluded within the said period.

With the above observation, this application is dismissed.

(Vinod Kumar Sinha, J)

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