

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4827 of 2017

Arising Out of PS.Case No. -48 Year- 2013 Thana -MANIHARI District- MUZAFFARPUR

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BRAHMANAND SAHNI, Son of Late Raj Kumar Sahni, resident of
Village- Ratnauli, P.S. Maniyari, District- Muzaffarpur.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Niwas Jha

For the Opposite Party/s : Smt Indu Kumari Srivastava

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 22-03-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks bail in a case instituted under
Sections 302/34 of the Indian Penal Code and Section 27 of the
Arms Act.

Allegation against the petitioner is that he along
with other 5-6 persons surrounded the informant and his uncle
and ordered to kill them by bullet, in the meantime co-accused
Rajesh Kumar Sahni and Mahesh Sahni caught the uncle of the
informant and the petitioner fired on his chest and fled away.
Thereafter the injured Ram Kumar Thakur was taken to hospital
where he died.

Earlier the bail application of the petitioner was



rejected vide Annexure-1 to the present application taking into account that the petitioner is the main assailant. This is the second attempt for grant of bail on behalf of the petitioner.

A report was called for from the court below regarding stage of the case. It has been reported that since the court was vacant hence the trial court not proceed. Now, the case is to be transferred to the running court.

Considering the allegations and the accusations made against the petitioner, I am not inclined to grant bail to the petitioner. The same is rejected in connection with Maniyari P.S. Case No. 48 of 2013, pending in the court of learned J.M.1st Class, Muzaffarpur.

Let the case be transferred to the running court immediately, as per the report submitted by the court below. It is further directed that the trial of the case be concluded preferably within a period of one year from the date of receipt/production of the copy of this order.

The District Magistrate, Muzaffarpur and the Superintendent of Police, Muzaffarpur are directed to ensure that the prosecution witnesses are produced in the court 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, Muzaffarpur and the Superintendent of Police,
Muzaffarpur.

(Sudhir Singh, J)

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