

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36654 of 2017

Arising Out of PS.Case No. -95 Year- 2017 Thana -MAHNAR District- VAISHALI(HAJIPUR)

=====

Deepak Kumar, son of Sita Ram Sah, R/o Village- Nayaganj, P.S.- Desri,
District- Vaishali.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioner/s : Mr. Dilip Kumar Singh

For the Opposite Party/s : Mr. Uday Chand Prasad

=====

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 23-08-2017 Heard learned counsel for the petitioner.

This is an application for bail in connection with Mahnar P.S. Case No. 95 of 2017 registered for the offences punishable under Sections 392, 307 of the Indian Penal Code and 26(1-B)(a) and 26 of the Arms Act.

Allegation against the petitioner is of demanding cash from the informant on the point of revolver and there is allegation of firing also and thereafter petitioner was caught and handed over to the police and from the possession of accused persons revolver, mobile, motorcycle and seven pieces of sari were recovered.

Submission of learned counsel for the petitioner is that petitioner is 'feriwala' selling sari and in that connection he was in village and nothing has been recovered from his possession and he



has falsely been implicated in this case and he is in custody since 29.4.2017.

Heard learned APP also, who has opposed the prayer for bail stating that not a single witness has stated that petitioner is 'feriwala' and pistol and cash have been recovered from his possession and materials during investigation also show that he was convict in a case.

Having heard both sides and considering the facts and circumstances, I am not inclined to grant bail to the petitioner.

However, since the petitioner is in custody for the last four months, learned trial is directed to expedite the trial and try to conclude it within a period of six months. At the same time, Superintendent of Police, Vaishali at Hajipur is directed to ensure the presence of the witnesses in court on the date fixed, so that the trial be concluded within the specified period.

With the above observation, this application is dismissed.

(Vinod Kumar Sinha, J)

spal/-

U			
---	--	--	--

