

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52065 of 2017

Arising Out of PS.Case No. -213 Year- 2011 Thana -BALIA District- BEGUSARAI

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1. Baunu Sada @ Bauna Sada S/o Late Sitaram Sitaram Sada, R/o Village-
Gyantola, Majhanpur, P.S.- Ballia, District- Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Navesh Nandan

For the Opposite Party/s : Mr. Smt. Anita Kumari

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 20-12-2017

Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in Balia (Begusarai) P.S. Case No.
213 of 2011 corresponding to Sessions Trial No. 477 of 2013
instituted for the offence under Sections-302, 379 & other minor
Sections of the Indian Penal Code and 27 of the Arms Act.

Earlier prayed for regular bail of the petitioner was rejected
by this court vide order dated 03-02-2017 passed in Cr. Misc. No.
51565 of 2016.

It has been submitted that the petitioner is in custody since
18-12-2015.

A report has been called for from the court below about the
present stage of the trial. The court below has submitted in the report
that after framing of charge, three witnesses have already been
examined.



In the written report, there is specific allegation against this petitioner of causing fire arm injury to the brother of the informant, as a result of which, he died.

Therefore, this court is not inclined to grant bail to the petitioner.

Accordingly, prayer for bail of the petitioner is rejected.

Since petitioner is in custody since 18-12-2015, the court below is directed to expedite the trial of the petitioner and make all efforts to conclude the same as early as possible preferably, within a period of nine months from the date of receipt/production of copy of order giving short adjournments in the case.

The trial court will give information in advance to the Superintendent of Police, Begusarai for producing the witnesses in the case on the date fixed for evidence.

In the event, the trial of the petitioner is not concluded within the above-said period of nine months, the petitioner will be at liberty to renew his prayer for bail in the court below itself, which shall be disposed of by the court below in accordance with law and the court below will give reasons in the order for not disposing of the trial within the aforesaid period.

(Sanjay Priya, J)

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