

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2845 of 2017

Arising Out of PS.Case No. -279 Year- 2015 Thana -JOGAPATTI District-
WESTCHAMPARAN(BETTIAH)

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1. Rajan Chaudhary @ Tiwary, S/o Lalan Chaudhary @ Kishun Chaudhary,
R/o Village - Kailash Nagar, Dhumurati, P.S. - Bagaha (Patkauli), District -
West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey

For the Opposite Party/s : Mr. Sri Dinesh Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 09-02-2017 The petitioner is in custody since 30.08.2015 in connection with Tr. No. 07/2016 (arising out of yogapatti P.S. Case No. 279 of 2015), registered for offences punishable under Sections 25(1-b)a, 26 and 35 of Arms Act and Section 20 and 22 of N.D.P.S. Act.

It has been submitted on behalf of the petitioner that on confidential information police intercepted the petitioner and other co-accused persons and recovered one pistol and two cartridges from the possession of the petitioner and from other co-accused, namely, Ajay Patel, 500 grams of charas was recovered and also from another co-accused, two live cartridges were recovered, however, the said accused, namely, Ajay Patel has already been



granted the privilege of regular bail by this Court vide order dated 06.09.2016 passed in Criminal Miscellaneous No. 27266 of 2016 and the petitioner's case having on better footing may also be granted regular bail as he has been languishing in judicial custody since 30.08.2015.

Heard learned A.P.P. also.

Having heard both sides, in view of the fact that there is direct allegation against this petitioner that he was planning for dacoity with some other persons and the police on secret information intercepted the petitioner along with other co-accused persons. From possession of petitioner, one country made pistol and two cartridges were recovered and also in view of the fact that the petitioner has criminal antecedent as he is accused in as many as three other cases, I am not inclined to grant the privilege of regular bail at least at this stage.

However, considering the fact that since the petitioner has already remained in judicial custody for about one and half years and also the charge has already been framed, learned Trial Court is directed to conduct the trial on day to day basis and try to concluded the same within a period of six months from today and if the trial is not concluded within the aforesaid period, the petitioner will be at liberty to renew his prayer for bail in the court



below itself.

The Superintendent of Police, West Champaran at Bettiah, is also directed to ensure the production of witnesses on the date fixed so that the trial may be concluded within time.

(Vinod Kumar Sinha, J)

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