

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20425 of 2017

Arising Out of PS.Case No. -172 Year- 2016 Thana -DELHA District- GAYA

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1. Shankar Sao @ Shankar Kanu @ Shankar Kandu S/o Suresh Sao resident of Mohalla - Bambam Baba, Pahari Sanjay Nagar, Chhotaki Delha, P.S.- Deha, District - Gaya.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vinod Kumar

For the Opposite Party/s : Mr. Sri Binod Kumar 2

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 09-05-2017 The petitioner seeks regular bail in connection with Delha P.S. Case No. 172 of 2016, registered for offences punishable under Section 399/402 of Indian Penal Code and Section 25(1-B)26/35 of the Arms Act.

Prosecution case is that police on information that some miscreants planning to commit dacoity in the house of one Shankar Kanu, raided the place of occurrence and apprehended the petitioner on spot and on his possession one country made pistol and two cartridges were recovered.

It has been submitted on behalf of the petitioner that he has falsely been implicated in this case and has been languishing in judicial custody since 02.10.2016. As regards criminal antecedents, learned counsel for the petitioner has submitted that



he is on bail in all other cases.

Learned counsel for the State opposed the prayer for bail.

Having heard both sides, in view of the fact there is recovery of one country made pistol and two cartridges from the petitioner and further petitioner has criminal antecedents as he is accused in nine other cases, as such, I am not inclined to grant the petitioner the privilege of bail, his application for regular bail is, accordingly, rejected.

However, since the petitioner has remained in custody for eight months, trial court is directed to expedite the trial and try to conclude it within a period of one year.

At the same time Senior Superintendent of Police, Gaya, is directed to ensure the production of witnesses on the date fixed, so that the trial can be concluded within the specified period.

(Vinod Kumar Sinha, J)

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