

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Miscellaneous No.27738 of 2017**

Arising Out of PS.Case No. -3 Year- 2016 Thana -ANDER District- SIWAN

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Harendra Kanu, son of Sheojee Kanu, resident of Village- Ushri Bujurg,  
Police Station- M.H. Nagar, District- Siwan.

.... .... Petitioner

Versus

The State of Bihar.

.... .... Opposite Party

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**Appearance :**

For the Petitioner : Mr. Raghav Prasad, Advocate.

For the Opposite Party : Mrs Renu Kumari, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

3      30-08-2017                      Heard learned counsel for the petitioner and learned  
counsel for the State.

The petitioner is languishing in custody since  
03.01.2016 in connection with Sessions Trial No. 191/2016,  
arising out of Ander (M.H. Nagar) P.S. Case No. 03/2016  
registered for the offence under Sections 341, 323, 324, 307, 504,  
302/34 of the IPC and 27 of the Arms Act.

The prosecution case, in brief, is that the petitioner  
along with one Sanoj Kurmi came, abused and fired upon the  
informant's mother which did not hit anybody. Thereafter, the  
petitioner gave a Farsa blow upon the head of the mother of the  
informant who died later on.

Earlier the bail application of the petitioner was



rejected on 26.09.2016 vide Cr. Misc. No. 33415 of 2016 taking into account that there was specific allegation of assault by Farsa on the head of the deceased. The postmortem report has also corroborated the allegation made in the F.I.R.

A report was called for from the court below regarding the stage of the case. It has been reported by the court below that the trial is expected to be concluded within a period of eight months.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioner. The same is rejected in connection with Sessions Trial No. 191/2016, arising out of Ander (M.H. Nagar) P.S. Case No. 03/2016, pending in the court of learned 2<sup>nd</sup> Additional Sessions Judge, Siwan.

The court below is directed to take all necessary steps to conclude the trial within a period of eight months from the date of receipt/production of copy of this order.

The District Magistrate, Siwan and the Superintendent of Police, Siwan, are directed to ensure that the prosecution witnesses are produced in the court below on the date fixed so that the trial could be concluded within the stipulated period.

Let a copy of this order be communicated to the District Magistrate, Siwan and the Superintendent of Police,



Siwan.

U.K./-

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(Sudhir Singh, J)

