

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48958 of 2017

Arising Out of PS. Case No.-69 Year-2015 Thana- Kumarghand District- Madhepura

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Ramanand Sharma @ Ramanandan Sharma @ Ramnandan Sharma S/o Late
Dev Sharan Sharma, R/o Vill. - Haribola, P.S. - Kumar Khand (Bhatani (O.P),
District – Madhepura.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Digvijay Kumar Ojha

For the Opposite Party/s : Mr. Nagendra Prasad

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

4. 15-11-2017 Sri Digvijay Kumar Ojha, learned counsel for the petitioner, in presence of Sri Nagendra Prasad, learned Addl. Public Prosecutor, while pressing the petition for renewal of bail on behalf of petitioner, has argued that it is settled principle of law that without speedy trial, one may not be detained in custody. He submits that petitioner is in custody since 27-07-2015, however; trial has not concluded.

However, on examination of earlier order i.e. order dated 20-08-2016 passed in Cr. Misc. No. 34637 of 2016, whereby earlier prayer for bail of petitioner was rejected, it is evident that there was specific allegation of firing against the petitioner on father of the informant and in the said occurrence, father of the informant died. Considering the seriousness of the



accusation against the petitioner, earlier prayer for bail of petitioner was rejected.

The Court is of the opinion that only on the ground of custody, order earlier rejecting prayer for bail may not be reviewed. The Hon'ble Supreme Court in **(2001) 7 Supreme Court Cases 673 (State of M.P. vs. Kajad)** has already observed that successive bail petition is not permissible, however; in change of circumstance, it can be entertained.

The Court is of the opinion that since there is no change of circumstances, there is no reason to review my earlier order.

The prayer for bail again stands rejected.

(Rakesh Kumar, J.)

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