

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18906 of 2017

Arising Out of PS.Case No. -5 Year- 2012 Thana -CHUTIA SAHAYAK District- SASARAM
(ROHTAS)

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Sanjay Chero, S/o Late Dhillo Chero, R/o Village- Sunarmanwa
(Matiaon), P.S.- Chutiya, Distt.- Rohtas.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Basant Kumar Singh
Mr. Deovind Kumar Singh

For the Opposite Party/s : Mr. Arbind Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 26-04-2017 Heard the parties.

This application is for grant of regular bail in connection with Chutiya P.S.Case No.05 of 2012, for the offences under Sections 147, 148, 149, 120(B), 307 and 353 of the Indian Penal Code.

The petitioner is named in the F.I.R. and there is allegation against the petitioner and other co-accused persons of firing on the police party.

It is submitted on behalf of the petitioner that in spite of indiscriminately firing, no injury has been received by anyone and nothing has been recovered from the possession of the petitioner. He is in custody since 05.11.2016. It is also submitted on behalf of



the petitioner that the other co-accused have been granted bail by this Court, vide order dated 19.05.2015 passed in Cr. Misc. No.15500 of 2015.

Heard learned A.P.P. also.

Having heard both sides and from perusal of the record, it appears that a number of accused persons including the petitioner fired on the police party and a huge quantity of explosive articles have been recovered. No doubt, it does not appear that anybody has received injury or not but the petitioner is named in the F.I.R. as well as he has criminal antecedent as he is accused in 08 other cases. So far bail of the other co-accused persons is concerned, it appears that the other co-accused had remained in custody for about 2 ½ years in this case. This case is of the year, 2012 and the petitioner has surrendered/arrested in the year, 2016.

Considering this aspect of the matter, I am not inclined to grant bail to the petitioner, however, the learned trial court is directed to expedite the trial of the petitioner.

With the aforesaid observation, this application is dismissed.

(Vinod Kumar Sinha, J)

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