

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18153 of 2018

Arising Out of PS. Case No.-47 Year-2016 Thana- KATRA District- Muzaffarpur

Uttim Rai @ Uttam Rai, Son of Pragash Rai, Resident of Village- Angoha,
P.S.- Katara, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Devendra Kumar

For the Opposite Party/s : Mr. SRI ARUN KUMAR

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR

ORAL ORDER

2 30-03-2018 Heard learned counsel for the petitioner and the learned
APP for the State.

Petitioner, already in custody, seeks bail in connection with
Katra P.S. Case No.47 of 2016, giving rise to Sessions Trial
No.04 of 2017, registered under Section 397 of the Indian Penal
Code.

Allegation in brief is that some dacoits entered into the
house of informant breaking the door, assaulted family members
and committed dacoity. Later on the petitioner during
investigation was apprehended on the basis of confessional
statement of a co-accused Sunil Kumar Rai and a loaded
country made pistol was recovered from possession of the
petitioner.

Learned counsel for the petitioner submits that the



petitioner's name transpired only in the confessional statement of Sunil Kumar Rai and another cases were instituted on which the petitioner is on bail; whereas the learned counsel for the State submits that in this case when petitioner was apprehended, he was found in possession of a country made loaded pistol and he has criminal antecedents.

Having considered the aforesaid facts and circumstances, the prayer of bail of the petitioner is rejected in connection with Katra P.S. Case No.47 of 2016, giving rise to Sessions Trial No.04 of 2017, pending in the court of learned 14th Additional Sessions Judge, Muzaffarpur.

However, the trial court is directed to expedite the trial and preferably conclude the same within a year. If the trial does not conclude within the stipulated period, the petitioner may renew his prayer of bail.

(Arun Kumar, J)

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